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WHOLE No. 2585.

DOLE AND CARTER ACCEPT OFFICES TENDERED THEM BY THE PRESIDENT

The Governor to Succeed Estee and the Territorial Secretary to Succeed Him---What Both of Them Say.

GOVERNOR DOLE WILL ACCEPT.

"Mr. Carter and I have signified our willingness to accept the offices, respectively, of Governor and United States Judge," Governor Sanford B. Dole said at his home in Emma street yesterday evening to an Advertiser reporter.

"I have not received any cablegrams myself," the Governor answered to a question regarding when he and Secretary Carter were likely to assume their new offices; "but I presume the appointments will not be actually made until the extra session of Congress. That will begin November 9, I believe, although appointments to vacancies may be made in vacation, the same as under the Territorial Government.

"Of course these proposals came suddenly in consequence of the death of Judge Estee. My term as Governor has but a few months to run and there is nothing of great importance relative to the duties of the office in the meantime remaining to be performed. It is all routine work, excepting there may be questions to arise in connection with the starting of the county government.

"I consider the completion of my term as Governor to be of less importance than the opportunity of establishing the precedent of filling Federal offices in this Territory with local men.

"It is a good thing to get these appointments out of mainland politics. They ought not to be there. There is no reason why the patronage for this Territory should be in the hands of the California Senators. This Territory has nothing whatever, politically, to do with California."

Governor Dole, in the informal interview, evinced a sense of gratification at the proffer to him of the Federal judgeship almost on the eve of his retirement from the Governorship. Besides his appreciation of this mark of confidence at the hands of President Roosevelt, he expressed his pleasure at having assurances that his acceptance of a high judicial position once more had the approbation of business men and the community at large.

WHAT CARTER SAYS.

Secretary George R. Carter was met by appointment last night and asked for a statement of the actual position of affairs with regard to the offices of Governor and United States Judge. He did not have the documents with him, but gave a resume of the telegraphic correspondence between Washington and Honolulu.

W. O. Smith received the first message, which was to the effect that President Roosevelt was agreeable to appointing Governor Dole to the judgeship and Secretary Carter to the Governorship provided that Messrs. Dole and Carter sent on word that they would accept the respective positions.

Mr. Carter, finding that many of his friends were rallying around him, concluded to place himself in the hands of the President if Governor Dole decided to accept the proposed change. He was gratified with the support, not only of the Planters' Association and business men, but leaders of the Republican party and even prominent members of the Home Rule party.

Yesterday morning Mr. Carter received a personal cablegram from President Roosevelt, asking him if he thought the change would be advisable and if he would accept the Governorship. After waiting some time for Governor Dole's decision, Mr. Carter wired back that he thought Governor Dole would make a most suitable Judge, and that his appointment as such would be in the best and highest interests of the whole community here.

Mr. Carter here interpolated remarks to the effect that he felt this community owed Mr. Dole a debt of gratitude and that this proposed appointment would round out his career in a splendid way.

Returning to his reply to the President, Mr. Carter said he informed him that, so far as he was concerned, the President knew that he could command whatever abilities Mr. Carter might possess in any honorable way.

So far as his general ideas went, Mr. Carter went on to say to the reporter, one of the efforts of his administration as Governor, if ultimately appointed, would be to bring the Hawaiians closer in touch with the executive branch of the Territory of Hawaii, and he hoped they would give him an opportunity to work with them and for them to that end. And in return he hoped that they would not work against him but with him.

Mr. Carter did not anticipate any political opposition to the arrangement on the mainland. Mr. Dole's attitude in the Spanish War, when he held out against powerful influences on behalf of neutrality for the Republic of Hawaii and then made a proclamation to all the world that these islands would not be neutral ground but at the disposal of the forces of the United States, endeared him to the American people.

Ever since he met President Roosevelt the first time, Mr. Carter declared he had entertained a feeling of exceeding loyalty to him. He felt that the President had treated him in a most exceptional way. He had shown him every courtesy, never refusing any reasonable request, and he felt that it would be a



SANFORD B. DOLE.

very poor return if he did not reciprocate and do everything possible to meet the President's wishes. If President Roosevelt had preferred that he should keep out of office and help him on the outside, Mr. Carter said he would have been perfectly satisfied.

In the course of conversation Mr. Carter disposed of a prevalent myth regarding his first acquaintanceship with the President. This was not, as was widely published, at any intercollegiate contest in athletics or when the two were at college. It was when Mr. Carter went to Washington in response to a letter from the President asking his advice about Hawaiian affairs soon after Mr. Roosevelt came to the presidency.

An interesting reminiscence in conjunction with the present situation was related by Mr. Carter. When he was leaving Honolulu in 1889 with the idea of never returning, Mr. Dole, then a Judge, said to him at the wharf:

"George, my boy, some day you will be glad to come back to Hawaii."

Mr. Carter says he came back in October, 1895, and after being here a year he wondered why in the name of common sense he had stayed away so long as he had.

In answer to a question as to his own successor as Secretary of the Territory, Mr. Carter said that positively nothing was known of that matter. There would probably not be anything done about the Secretaryship before the extra session of Congress when the matter of the other offices would be decided. He was not aware of there being any applications for the office of Secretary.



GEORGE R. CARTER.

THE RUSSIANS ARE GETTING OUT OF KOREA

They Abandon and Dismantle Their New Forts There—Proposed China-Japan Alliance. Damage by Earthquakes.

(ASSOCIATED PRESS CABLEGRAMS.)

YOKOHAMA, Nov. 3.—The Russians have withdrawn from Yon-gampho, and the Yalu river, Korea, dismantling the fortress there and reoccupying Mukden.

LOS ANGELES, Nov. 3.—G. J. Griffith has been held in \$15,000 bail to await the action of the grand jury.

Colonel Griffith J. Griffith, the millionaire mining man, was accused by his wife of having deliberately shot her while the two were in their apartments at Hotel Arcadia, Santa Monica. She claimed that he had acted for years, during their long residence in Los Angeles, as though he was afraid of being poisoned and that just before he shot her he made her swear that she had no designs upon his life. She declared that he had asked her several other questions and then levelled his revolver at her and fired, putting out one of her eyes. Mrs. Griffiths then leaped from the hotel window and received frightful injuries.

Griffith has been one of the best known figures in Los Angeles business circles. He had resided there for something like twenty-years, having for most of that time owned the Los Feliz ranch, adjoining the city on the northwest. Some years ago he presented the city a magnificent domain carved from the Los Feliz ranch for a city park. The gift contained about 2,000 acres, making the park one of the largest in the world.

About ten years ago Griffith married the eldest daughter of Louis Mesmer, who had accumulated a large fortune in the early days of Los Angeles as a hotel proprietor. From her father Griffith's bride received a comfortable fortune, which was augmented about the time of her marriage by an inheritance of several hundred thousand dollars from a Mr. Briswalter, who, in his old age, had been ill and cared for by Miss Mesmer. Touched by her tender care he made her his principal heir.

Griffith has been known as a public spirited man and one who always gave generously whenever matters touching the welfare of Los Angeles required it.

PEKING, Nov. 3.—High officials are urging the Empress Dowager to join in an anti-Russian alliance with Japan.

WASHINGTON, Nov. 3.—President Roosevelt has gone to Oyster Bay to vote.

SIMLA, Nov. 3.—Severe earthquakes have taken place at Turshiz in which 350 people were killed and 184 carpet factories destroyed.

CORVALLIS, Ore., Nov. 3.—The Holy Roller apostles have been forced, by public indignation, to flee the town.

SKAGWAY, Nov. 3.—There has been a gold strike sixty miles northeast of White Horse. A general stampede is on to the new camp.

PORTLAND, Ore., Nov. 3.—The longshoreman's strike has been settled.

PORTLAND, Ore., Nov. 3.—Severe storms are prevailing on the Oregon and Washington coasts.

SOFIA, Nov. 3.—The Government's triumph in the elections indicates that the country is opposed to Russian interference.

NEW YORK, Nov. 2.—The report of former U. S. Senator Smith, receiver for the shipbuilding trust, has been made public and has created a big sensation in Wall Street and in financial circles generally.

Smith alleges that the promoters of the trust committed fraud in organizing the concern and floating the company's bonds. He recommends that Charles M. Schwab, late president of the steel trust, and other promoters of the United States Shipbuilding Company, be prosecuted.

It is charged that by reason of secret agreements between Lewis Nixon, who was the main promoter of the trust, and Charles M. Schwab, the shipbuilding company purchased from Schwab the Bethlehem Steel Company works for forty million dollars, and that this transaction alone afforded Schwab a profit of twenty-seven million dollars.

ROME, Italy, Nov. 2.—A fire causing great damage took place in the Vatican today. Pope Pius assisted in quenching the flames.

The Mayor of Rome entered the Vatican for the first time officially today.

PEKING, China, Nov. 2.—China is greatly disturbed over Russia's reoccupation of Mukden, Manchuria. The officials claim that it is fresh evidence that Russia has now decided to remain in occupation of all Manchuria permanently.

PORTLAND, Oregon, Nov. 2.—The longshoremen have gone on strike here. All work on the wharves has been suspended and as a result the large British steamer Algoa and the Austrian steamer Kobe which were taking in cargoes for the Orient have been tied up to the wharves.

The Algoa was in this port in September, 1900. She is to take a cargo of lumber, wheat, and general merchandise to Manila. The Kobe was under charter to take a similar cargo to Chinese ports.

VALLEJO, Nov. 2.—Paymaster Arthur Brawn has been ordered to Honolulu to succeed the late Paymaster Rhodes at the naval station.

CAMPAIGNING WITH ESTEE

BY WALTER G. SMITH.

The first time I ever saw Judge Estee was in 1892 but I did not meet him until August, 1894, some few months after leaving Honolulu. When introduced to him he greeted me with a cordial and muscular handshake—he was then running for Governor of California—but when my friend said I was "from Hawaii" his interest seemed to cool. He was after California voters just then, not estrays from a foreign land, and though he was courteous enough, it was clear that he had no time to waste on aliens.

As a politician Mr. Estee was, perhaps, too blunt and forthright to be universally winning. In later life he was the soul of civility and perhaps he did not mean to be brusque at any time. Much may be forgiven a man who is rushed from one end of a great State to another as Mr. Estee was in 1894, making almost nightly speeches, eating at all sorts of tables and sleeping in all kinds of beds; kept up late, pestered with handshakes, bombarded with telegrams, importuned by grafters and compelled to ride thousands of miles by rail and stage—over it all the worry of the political outlook. It would need a liguivite constitution and a philosophic soul to maintain politeness and composure under such trying circumstances.

Mr. Estee had his strong likes and dislikes. The thing he objected to most in his campaign was palaver. Nor could he simulate a liking for brag, even that of his friends. At the Southern California hotel where I met him, a party of San Diego gentlemen told him that the structure he was in was "the largest hotel in the world." The candidate said nothing. Then he was taken down stairs and shown "the largest barroom in the world." Still mum. Disappointed, the committee took him further along and said "Here San Diego can show you the largest billiard room in the world." Upon that the candidate said: "Come with me, gentlemen; I want to show you something. There! look at that! There's the largest ocean in the world and I suppose it belongs to San Diego too."

San Diego did not like that and I think the Jeer cost Estee votes.

A MOUNTAIN CANVASS.

Two months later I was sent by the editor of the Chronicle to join Mr. Estee in the mountains, spend a week with him and describe his campaign methods. Unhappily I carried no credentials; these were to come from the Republican State Central Committee. After some searching I found the gubernatorial candidate in the caboose of a logging train en route to Grass Valley and Nevada City. He did not remember me, of course, nor did I recall myself to him as the man from Hawaii. To the statement of my errand he made no particular reply and I saw that he was on his guard against a possible Democrat. An attempt to interview him was checked at once; he never talked politics to strangers on the cars. Nor did matters mend much when I was recognized and pleasantly greeted by Lee Fairchild, the humorist, who was the nominee's speaking partner. Estee was at odds with Fairchild and wanted nothing to do with him or his acquaintances. They had quarreled the day before.

Things looked blue; but at a little way station Mr. Estee got off and was handed a telegram. He at once came back to the car, opened his satchel, took out half a yard of bologna sausage and two bottles of Belfast ginger ale. Drawing a prodigious jackknife he cut off several inches of the sausage and walking to my seat said in the pleasantest tones, "Young man, let's have some lunch together. Here's a bottle of ginger ale to go with the sausage. Come, turn the seat and we'll eat, drink and talk." The simple lunch followed and then, with a quizzical look, the Republican leader handed me the telegram. It was from the State Central Committee and read: "The Chronicle has sent a reporter to you. Say nothing to him on the nigger question." Estee laughed in growling fashion and said "I guess I'll say what I please; I'm twenty-one."

The "nigger question" referred to the Democratic charge that Estee had tried, in his younger days, to have an amendment made to the State constitution excluding negroes from testifying in courts of justice. He was then a man of great pride of race and he had small liking for any of the phases of negro suffrage.

JOINING THE PARTY.

I did not get the interview I wanted at once; there was time enough for a talk after the nominee's campaign methods had been described. Without more ado I was attached to Mr. Estee's staff—we all called him "Governor," so sure seemed his election—and taken along from town to town. We were in the fine old historic mountain country where Bret Harte had studied some of his Argonauts of '49. All that region had been dug into by red-shirted miners; the sands of the braiding creek which ran through Grass Valley and Nevada City had been sifted clear to bed rock for auriferous specks; and in the rotting old dance halls what passing show of tragedy and farce had spread its fitful scene! Some of the little business places stood as men like John Mackay and Aaron Sargent and William Sharon had left them in the old days when those pioneers were young and hopeful of better things than selling bacon and tobacco. One half expected to see Jack Hamlin or John Oakhurst come out of that den across the way, and raise his hat to the Rose of Touloume or Grace Conroy or to She of Delatorre. But alas! it was not '49; it was '94, and all the old romantic people were gone. Where Mackay had kept store Isaac Epstein offered a fine line of ready-made clothing, tobacco, hardware and fishing tackle; and in place of handsome, graceless Jack Hamlin was the greasy publican of the inn who insisted on charging Mr. Estee \$6 a day for accommodations which made the old campaigner wakenful and sad. The people were the same that

you would find anywhere in the rural West, roughly garbed, industrious, intensely curious and jealous of their dignity, always on the lookout for the "dressed up city feller." Among these people Mr. Estee circulated, shaking hands and being reasonably cordial but never overdoing the matter. In fact his danger, especially in cities, was in under-doing the small courtesies of life; but the mountain people, men of independent character, liked him all the better for his own independence and at the election gave him a great vote. As the leader of the party and the chief figure at every political occasion, he might have "put on side" but it was not in him to do so. Attired in a rusty black suit, wearing a slouch hat which came well down over his grizzled locks and smoking a ten cent cigar, Mr. Estee was a democrat among democrats—not speaking in a party sense—and the heart of the average man warmed to him. His were the ways of Lincoln in all his campaign work.

ON THE PLATFORM.

As a speaker Mr. Estee struck people as being deeply sincere and unaffected. His manner on the platform was that of an elder brother reasoning upon a family affair. You felt that his heart was in the right place all the time; that he was seeking the common good. One never heard him abuse the other side, though he had an edge to his tongue when off the stump. How keen a one will be shown by a story of four years later. I met him then on Montgomery street, San Francisco, and asked what he thought of Gage, the Republican nominee for Governor. "Mr. Gage," said Estee, "is the smallest public man in California except a notary public." But one never heard Estee say such things in the hustings. There his discourse was one of pure reason, dealing lightly with persons, broadly and deeply with principles. He was the orator of thinking men. His opponent for Governor in 1894, who won by fraud committed south of Market street after the proportions of Estee's victory outside the city had been measured, had more catchy ways on the platform. His talk was full of epigrammatic point and sparkle; but it only flashed where Estee illuminated.

CLOSE TO THE CANDIDATE.

But to return to the mountain experiences. Being a correspondent I wanted some anecdotes of Estee—something about good things that had happened since the campaign began. I asked Lee Fairchild and a newspaper man named Phillips who was one of the party, but they would not talk unless Estee gave consent. I well remember how the candidate growled when I mentioned the matter to him. He would not stand for an interview with anybody on his staff; as for anecdotes he hadn't any. If I wanted his views on the tariff well and good, but they must come from him, not from others.

A bit nettled I told him I didn't care a rap for his views on the tariff and neither did anybody else; after which he cut some more bologna and our good feeling was rapidly restored. Various stories cropped out soon enough and Mr. Estee when he saw them in manuscript, dug up some more bottled ginger ale. Or—let me see? Was it ginger ale? Perhaps it was Napa soda, the drink of the country whence he came.

When I got down to a studied interview with the candidate he wanted a stenographer and typewriter and sent for one. Things had gone wrong that day and "the Governor" was not in good humor. Soon the stenographer got rattled and the sarcasm of the Republican leader did not tend to restore his poise. I put my questions, Mr. Estee replied to them as he chose or if he chose and the short-hand man

did his best to get the conversation down. The poor fellow had a bad half hour and then escaped to an upstairs room to transcribe his notes. In a little while he came down with them and handed the copy to Estee with a bill for \$25.

"What is this?" thundered the candidate for Governor. "Can't you see?" asked the now self-poisened stenographer; "its my little bill."

"Do you mean to say that you will charge me \$25 for an hour's work?" "Why you ornery little cuss! You disreputable swindler, you! I know what your game is. You think I will have to pay and that I won't stand suit," fairly shouted the indignant statesman. "Take your money and get out quick!" The stenographer reached for his pay and vanished towards the cocktail route where he spent the evening and the money working for Budd, the Democratic candidate.

"You see what I have to endure," said Mr. Estee a few moments later. "The law allows me just \$1200 for election expenses and everybody swindles me. I am overcharged for everything I buy except railroad tickets. Even bologna sausage goes up as soon as it is known that Estee has come to town. If I could keep on traveling the people would stop talking about 'an era of low prices.' Why, young man, I am a harbinger of prosperity to the masses in this campaign."

Mr. Estee's experiences on his campaign, though often irritating were now and then mirth-provoking as well. Once he was crossing a stream in the northern part of the State when his wagon wheels became mired and he was obliged to send a young companion away for help. The youth was gone a long time and did not find any aid, but a mountaineer living on the side of the stream away from the one where Mr. Estee's friend had landed, came down to the bank and upon the candidate's urgent plea went back home for a trace chain and a pair of mules. When the man returned with these he sat down on the bank and began to smoke.

"Well," said Mr. Estee, "I'm ready to get out of this. Throw me your chain."

"Oh there ain't much hurry," replied the mountaineer lazily. "Say! You tell me you are Estee, the Republican candidate for Gov'nor."

"Yes."

"Well, what mought your views be on the railroad question?"

"But, my friend, I can't make a speech here. The water is up over the wagon box now. Throw me your chain."

"Don't get fretful, pardner. Can you sing a song?"

"Are you crazy?" inquired Estee anxiously.

"Not so much as you air sittin' in that wagon a gettin' of your feet wet when you might be ashore. I'll tell you. I want to hear you make a speech, sing a song or say 'Here Jim Simpson air twenty-five dollars and my best respects to your wife and fammily.' Hey?"

Estee looked mad for a minute and then standing up on the wagon box he carefully knotted a handkerchief around the money, threw it ashore and removing his hat said: "There Mr. Jim Simpson air twenty-five dollars and my best respects to your wife and fammily." In a few minutes the Estee buggy—the horse of which had been previously let loose—was hauled to dry ground and as the mountaineer helped the old statesman hitch up he said: "That air money! come in mighty handy to bet on Budd."

I was far afield when the news reached me of Estee's defeat in a year of general Republican victory. It took the story six weeks to find my moving postoffice in a strange land. The facts were given in a letter from a friend, written on the day after election, and here is a paragraph from memory: "I saw Estee at six o'clock this morning, with a basket on his arm, buying things in the California market. He looked old, worn and discouraged. Perhaps he was up all night, but he certainly seemed like a politician who had fought his last campaign and must henceforth stand back in the crowd and see others try their hands."

BISHOP RESTARICK IN NEW YORK.

The Right Rev. Henry Bond Restarick, Episcopal Bishop of the Hawaiian Islands, is staying here for a few days previous to the meeting of the pan-American conference of Episcopal Bishops, which opens in Washington next Tuesday, says the N. Y. Sun. Bishop Restarick is the first American Bishop of the Hawaiian Islands. He was consecrated about a year ago.

"Hawaii," he said yesterday, "is now in a state of financial depression, the outcome of which it is difficult to prophesy. The low price of sugar is responsible for the trouble, but as sugar has advanced \$10 a ton the situation is more hopeful, and new enterprises, particularly the canning of pineapples and sisal cultivation, are being tried."

Bishop Restarick will remain in the United States until December. He hopes, meantime, to obtain \$25,000 with which to purchase the old home of Gen. S. C. Armstrong, adjoining the Cathedral in Honolulu for a building for the Iolani boys' school. It was Gen. Armstrong who founded Hampton Institute in Virginia. His father was a missionary to Hawaii.

FILIPINO BAND MAY BE HEARD

Honolulu will enjoy a treat of music if the famous Filipino Constabulary band en route to the St. Louis Exposition stops here for a few days. It is reported that this band of fifty pieces was to have been given transportation to the United States on an army transport, and either the Thomas or Logan may have the organization aboard.

Ninety-eight Filipino students sailed from Manila Oct. 10 for Hongkong, whence they will proceed to the United States. They will spend the winter in Southern California schools. Later they will go to the St. Louis exposition and will then be distributed among various colleges. Their expenses will be paid by the Government, and the plan is widely appreciated as a powerful example of American beneficence.

CIVIL SERVICE EXAMINATIONS

The following is a schedule of examinations for civil service positions which will be held in this city on the dates indicated below.

For further information consult Mr. McCoy, or Mr. Kenake at the Post office, Prof. Alexander of the Geodetic Survey, or Mr. H. C. Stackable or Prof. A. B. Ingalls at the Custom House.

Nov. 18-19—Teacher (male) in the Philippine service. Applications close November 3 for this examination.

January 4-6-1904—Cadet in the Revenue Cutter service. Applicants must not be less than 18 nor more than 25 years of age, of vigorous constitution, physically sound and well-formed, not less than 5 feet 3 inches in height, of good moral character, and unmarried. Applications received until Dec. 1st, 1903.

PINEAPPLE CONFERENCE

Hilo Business Men Meet Coast Agent.

HILO, Oct. 30.—There was a special meeting of pineapple growers at the office of Charles Furneaux on Saturday for the purpose of meeting C. P. Bentley, representing the California Canner's Association, and to listen to the report of R. L. Lillie, special representative of the Hilo growers, who visited the Coast for the purpose of investigating the fruit canning there and to arrange, if possible, to secure financial support for a cannery in Hilo.

C. C. Kennedy, P. Peck, Charles Furneaux, Geo. W. Paty, L. Turner and H. E. Kelsey joined in a running discussion while Mr. Bentley was delivering an informal address to the meeting. R. L. Lillie at first presented a report on his visit to the Coast.

What seemed to be clearly brought out at the meeting was that there would be no lack of land for pineapple cultivation in the vicinity of Hilo.

Mr. Bentley stated that his coming to Hilo to investigate the pineapple situation was due to Mr. Lillie's call upon the association, and if anything came out of it the credit belonged to Mr. Lillie. Of his own accord and in answer to questions, Mr. Bentley made remarks as follows:

"Two questions I wish answered: '1. What will pineapples cost? '2. How many can we get?'

"Sugar mills run on a larger scale and for larger profits. I should say that to manufacture ten tons of pineapple into preserves would cost us as much as it does the sugar companies to make thirty tons of sugar."

"It will require 1000 tons of fruit during the first year to keep the cannery in operation. That means that you must draw upon Maui and get all of the fruit that is not now canned on Oahu. I am told that Oahu produces more pine than all the other islands combined. It would be wise to have one cannery centrally located and with smaller branches in other localities. The plant is a small item as one for 50,000 cases would not cost more than \$10,000. The machinery is simple, most of the work is done by hand. The chief outlay is labor and pineapples, though the cans cost more than the fruit. The expense of conducting a 10,000 can plant per annum would be about \$75,000 during a season. We would like to interest the plantation people because I do not believe we could get the required quantity of fruit from holders of small tracts."

Mr. Bentley spoke about pines of about four pounds as the best, and as to quality said that the more acidity in the pines the more sugar it will take to preserve them, consequently they commanded a lower price. "Sugar costs us five cents per pound and fruit one cent, so you can see the difference."

He said there would be no difficulty about finding a market but there might not be any profits. Less than 20,000 cases per annum would not bring a profit to the cannery. The average housewife would not pay more than 25 cents per can for fruit. Figure the profit at five cents per case and what had they? Mr. Bentley added that he was not here with power to make a five year contract. The cost of freight, labor, sugar and approximate cost of fruit must first be furnished his company. The company would not go into the scheme if they had to raise the fruit—they are not farmers. If they could get agreements from people to grow pines for delivery in 1905 the association could go ahead with the cannery either here or elsewhere in the Territory.

ESTEE MEMORIAL SESSION.

The following resolutions touching the death of Judge Estee were presented yesterday before Judge Little, who with remarks of his own ordered them spread upon the records: Whereas, The bar of this Court have with profound sorrow learned that the Honorable Morris M. Estee, late Judge of the United States Court for the District of Hawaii, on the 27th day of October, A. D. 1903, departed this life; Therefore, To indicate the esteem in which we held him while living, and the respect and veneration in which we hold his memory.

Resolved, That the many virtues which adorned the character of the Honorable Morris M. Estee and which during his incumbency as Judge of the United States Court of the District of Hawaii, shone conspicuously, have endeared his memory to us and made for him an enduring monument as an able, upright and just judge, a courteous and accomplished gentleman, and a sincere and disinterested friend.

Resolved, That his death is a public calamity, in which the bench loses one of its brightest ornaments, a most honorable example of impartiality, firmness, patience, learning, sagacity and suavity of deportment; the bar one of its most warmly cherished professional brethren; and the Territory an exalted patriot and a useful citizen.

Resolved, That these resolutions be presented to this Court by the members of the bar, with the request that they be spread of record and that a copy be transmitted to his family under seal of this Court.

Attorneys present and joining in the eulogies pronounced were: W. S. Wise, Carl S. Smith, J. Castle Ridgway, Thos. C. Ridgway, C. F. Parsons, W. H. Smith, John U. Smith and J. M. Vivas.

THE VOLCANIC ERUPTION.

Thursday's Hawaii Herald says: "The crater at Mokuaweweoe is still

MRS. PARKER SAYS H. L. GEAR WAS CATSPA W OF DAVIS

The San Jose Mercury of October 18, says:

The legal battle between Mrs. Abigail Campbell-Parker and the trustees of the estate of the late James Campbell, the Hawaiian planter, with H. L. Gear, recently appointed guardian ad item of the estates of Muriel and Mary Campbell, two of the minor children of the deceased, and George A. Davis, formerly guardian of the persons and estates of the minors, is developing new phases. Yesterday Attorney T. C. Bird on behalf of Mrs. Abigail Campbell-Parker, mother of the minors, filed a notice of motion in the Probate Court of this county to set aside the order made August 14th last by Judge Lele appointing H. L. Gear guardian ad item of the estates of the minors.

In the motion the mother of the minors makes some sensational accusations against Attorney Gear and George A. Davis, whom, she says, are waging the legal war against the estate. The motion is made on the grounds that there is no proceeding relating to the estate of James Campbell, deceased, pending in any court; that as the decree for distribution was made last February and the administratrix discharged from her duties, that the court has no power to appoint a guardian ad item; that the court already had an attorney appointed and that he had previously consented to the decree of distribution which was issued last February; and further, that the court had no power to appoint anyone with the power to take appeal.

The attorney for the estate claims that the order was inadvertently made and that the court erred in making the order without the notice to any of the parties interested in the appointment.

It is also alleged that the order was granted upon statements which were untrue. The mother of the minors states that George A. Davis was not

guardian of the minors at the time the petition was made and also that Attorney Gear was not the friend of the children, neither was he acting in their interests.

In the sworn statement of Mrs. Abigail Campbell-Parker she says that she is and has been the lawful guardian of her children and that the order of Judge Lele was made without her consent or without anyone having consulted her regarding the matter. She further states that the action was taken at the instance of George A. Davis, who was formerly the guardian of the children, but who resigned from his trust on the 4th of last August.

A sworn statement of Cecil Brown, one of the trustees of the estate, bears out Mrs. Parker's statements, and he says that during the settlement of the affairs of the estate he fully explained to Abigail W. Kawanakoa, one of the heirs who is one of the contestants in the full particulars of the order of the court and of the distribution of the property to the trustees who are to hold the estate in trust for the heirs.

The contest involves the estate of the late James Campbell, valued at nearly \$8,000,000, of which the Hotel St. James of this city is a part. By the order of distribution of Judge Hyland last spring involving the estate in this State, the property was turned over to the trustees to be held in trust for the heirs. The action of Attorney Gear was taken for the purpose to declare the distribution illegal and asked that the property be distributed directly to the heirs. The petition is now pending in the Supreme Court, where it was immediately taken after the order appointing Attorney Gear as guardian ad item was made. If the motion of Mrs. Abigail Campbell-Parker is granted the previous appointment made by Judge Lele will not hold. It is expected that the litigation will develop many interesting features.

TOURIST ADVERTISING.

The common idea of the tropics among people who have never traveled in them is that they are all alike in the matter of extreme and enervating heat. A northerner reasons that if the tropical winter is warm, the summer must be insufferable; and having summers of his own where dogs go mad and people drop from sunstroke, he insists that the art of sustaining life during a tropical summer must be one for a human salamander and not for a man of ordinary feelings. It is hard for him to believe that in such a place as Hawaii, sunstrokes and hydrophobia are unknown. Why, he asks, is there a difference of summer comfort in favor of the tropics and against places further north; and again, if the summers are unhealthy on one part of a parallel of latitude, as in India, why should they be healthful on another part as in Hawaii?

These are arguments and questions which the Promotion Committee should prepare to meet in its literature by declaring the climatic virtues of TRADE WIND ISLANDS. It is not snow we should exploit but the trade winds—those steady continuous breezes, rarely interrupted in summer and never for more than a few days at a time, which temper the solar heat and keep the people of the tropics comfortable and healthy. Were this paper to provide advertising matter for the committee it would suggest a display line like this:

Hawaii Cool in Summer

and then tell, in a few simple words how the trade winds make it so; following this with the line

Hawaii Warm in Winter

and tell the reason for that in equally simple phrase. Such advertising, answering as it would a wide misapprehension, would be worth all it might cost.

The Advertiser is glad to hear that, in advance of its suggestion, the Committee will make use, in pictorial text, of Mark Twain's superb tribute to Hawaii. It is possible that some striking phrases covering the trade wind idea might be derived from books of travel, for advertising purposes, notably from Wm. H. Rideing's "World's Paradieses."

The sewers and catch-basins, which are believed to breed a great many mosquitoes, are to have a regular treatment of crude oil. This should serve to mitigate still further a nuisance which is not so bad as it was before the tin can crusade began. As the value of the work already done begins to appear, public interest and sympathy in the anti-mosquito crusade increases.

The missionaries are dead and buried again.

quite active though at times the reflection cannot be seen here. Sunday night and Monday morning were exceptions and the view from Waiakae was fine. There seemed to be no decrease in the volume of fire."

Allan Wall returned Monday morning from Kona with the story of the trip of the biggest party that has yet made the ascent to the crater of Mokuaweweoe. Mr. Wall in a company of over twenty left the crater's edge last Thursday morning, and from what he saw he considers the sight at the crater unequalled by previous volcanic displays on this island. He says he has seen more fire in Kilauea, but not so much spouting and spouting. He never before saw so many fountains and lava geysers pounding the surface of the fire lake into a maelstrom of action. From the Kona side the fire fountains are much closer to the observer than from any other. The chief activity is about one-fourth the distance across the big crater from the Kona side.

The party was composed of seven resolute Kona women and enough men to make twenty-two, saddle horses and five pack animals necessary to convey all to the summit. The ladies in the party were: Mrs. T. C. Wright, Miss Lilling, Roy, Miss E. Low, Miss Mary Ackerman, Bessie Ackerman, Miss Holloka, Miss Fannie Stephens. The men were: Allan Wall, Mr. Woods, Mr. Edwards, Willie Roy, T. S. Wright, Henry Greenwell, Arthur Greenwell, Walter Ackerman, David Paris, David Nahale, Charles Ka and four helpers.

King's Adviser Coming.

Edward B. Strobel of Washington, who has been appointed confidential adviser of the King of Siam, may pass through Honolulu en route in the Copcic is due here next Saturday. He was formerly third Assistant Secretary of State and also was Minister to Ecuador and Chile.

Business sense: "The P. N. & Y. is the most enterprising railroad in the country." Jumpuppe—"Why?" "They now run excursions and observation trains to the scenes of all their important wrecks.—Ex.

Kauai Brought Souvenirs

The steamer Kauai returned at 2:40 a. m. yesterday from Anahola where her coal cargo was discharged after she came back from the wreck of the Connetable de Richmond. As souvenirs of the cruise, the lightning rod of the wrecked ship's mainmast, and other articles of minor value, as well as a model of the vessel, were brought to Honolulu. The rod was placed on exhibition at the Inter-Island office on Queen street.

A SORE THROAT may be quickly cured by applying a flannel bandage dampened with Chamberlain's Pain Balm. A lame back, a pain in the side or chest, should be treated in a similar manner. For sale by all dealers and druggists. Benson, Smith & Co., Ltd., Agents for Hawaii.

GOVERNOR DOLE BIDS FAREWELL TO REGIMENT

Campfire of the Militia--Governor Makes Strong Speech on Military and Civic Duty. Hawaii and Statehood.

Governor Sanford B. Dole, as Commander-in-Chief of the National Guard of Hawaii, bade the troops farewell last night at the drill shed, delivering an address teeming with patriotism, coupled with regrets that the long years in which he had been so closely allied to the military arm of the Hawaiian government had at last come to a close. He promised to feel the same interest in the welfare of the regiment in the future as he had in the past, and appealed to the guardsmen to exercise their privilege of the voting franchise in behalf of honest government.

One of the most significant of Governor Dole's remarks was that the present system of government in Hawaii is but a temporary form, a test to our citizenship. The future, he hoped, would evolve the Territory into a State. But that will depend upon popular fitness.

The gathering was the annual campfire of the First Regiment. The Army was decked with flags and bunting, a huge American flag draping the front entrance while a Hawaiian flag shone resplendent at the opposite end of the hall. Seven long tables, arranged lengthwise, were covered with the provender, pork, beans and hard tack, with pipes and tobacco for side entertainment. One table was reserved by Col. Jones for invited guests, and this was more pretentious with crockery, the others bearing only tin dishes. The Territorial band occupied the stage and played spirited airs during the evening.

At 8 o'clock Governor Dole was escorted to the center of the guests' table. Col. Jones had Governor Dole on his right, and Secretary Carter, who entered late, sat on his left. Adjutant General Soper and Surgeon Major Cooper were also there. Government officials, members of the legislature, U. S. Army officers and prominent citizens completed the list. Following the dinner, a bugle sounded attention, and Col. Jones introduced Governor Dole, who spoke, in part, as follows:

GOV. DOLE'S ADDRESS.

"The present and future of Hawaii form one subject. The past, present and future are one subject, because they are so intimately connected that one can hardly be spoken of without calling up the other. The evil things in politics or in social life are the fruits of what people have planted in the past, or of what they have neglected to do in past generations. I speak of this because it is my privilege to speak of Hawaii's future, and I want to impress upon you the fact that the future of Hawaii depends, more than anything else, upon the attitude of the present generation.

"If Hawaii, in the future, is to be a country to be respected, it will largely be because the men of the young generation do their duty. I want you to feel this responsibility so that the next generation will not lay back and blame the men of this generation because they planted seed which produced bad fruit. This is a small community compared to other political communities of the United States. Take Greater New York for instance, and consider how little one vote in millions counts for responsibility. But in Hawaii with his one vote, a man's responsibility means something. So the future of Hawaii depends on the way you act today, the way you conduct your family affairs and your business, and above all the way you vote. (Applause.)

"Today we are a Territory, which is a good thing. We have the privileges of self-government to a certain extent—as illustrated in the Territorial government—but I want you to understand that this Territorial government is temporary. It is a test of our citizenship. It is a privilege given to us so we may get an understanding of the principles of American representative government.

"The future of Hawaii nei ought to be a State government. (Applause.) That is something for us to work for. How can we express to Congress the propriety of giving State rights to our little community, smaller than many of the cities of the United States? Our population may increase to 200,000. I believe we have a very small chance by our numbers. We are small, and we will not be important by numbers for a long time to come. How can we convince Congress? By conducting our County Governments in such a manner that we will attract the attention of friends in Congress, so they may see we are running the County Governments in a patriotic, intelligent and successful manner. If we impress that upon those influential gentlemen who compose Congress they are likely to give us Statehood. (applause.) because they think then that we will do credit to the United States and we will be a political aid to the whole of the United States.

"We must all stand together and do good voting to bring about Statehood. (Applause.)

CHILDREN LIKE TO TAKE IT.
The finest quality of granulated loaf sugar is used in the manufacture of Chamberlain's Cough Remedy, and the roots used in its preparation give it a flavor similar to maple syrup, making it quite pleasant to take. Children like to take it and it has no injurious after effect. It always cures. For sale by all dealers and druggists. Benson, Smith & Co., Ltd., Agents for Hawaii.

THE PRESIDENT CONSULTED MR. HAYWOOD ONLY

Many Applicants for the Judgeship---Local News and Gossip About the Political Sensation of the Day---The Secretaryship.

(CABLE SPECIAL TO THE ADVERTISER.)

WASHINGTON, Oct. 31.—The appointments of Dole and Carter were publicly announced today. Mr. Haywood was alone consulted. Many applications for the judgeship were cabled.

E. G. WALKER.

News of the appointments of Governor Dole and Secretary Carter to the United States Judgeship and executive chair of the Territory were confirmed yesterday morning by cables from President Roosevelt's secretary, Loeb. They briefly announced the appointments to both the new officials.

Many congratulations were showered upon the appointees yesterday, Mr. Carter being besieged by a crowd of friends and office-seekers. Governor Dole expressed himself as pleased at the prospects of getting back to judicial work. He controls in his new position the appointments of clerks to the court, stenographer, bailiff, messenger, and the United States and Extradition Commissioners. He has said nothing in regard to possible fillers of these positions.

The first resignation following the cables was that of Henry E. Cooper, Superintendent of Public Works, to take effect upon the arrival of the commissions. Other heads of departments are expected to tender the customary resignations upon the appointment of a new executive. Attorney General Andrews' resignation has been in Mr. Dole's possession since the former took office, to be acted upon in any contingency.

No other resignations have been received but all are expected by the newly appointed Governor who will

wish to start in office with officials satisfactory to himself and the present form of government. Mr. Carter states that there will be a change in the office vacated by Mr. Cooper, who will affiliate himself with the law firm of Kinney & McClanahan. Mr. Dole wrote a letter to the late Superintendent, subsequent to his resignation, in which he expressed his cordial appreciation of Mr. Cooper's services during his incumbency.

Formal resignations are expected from Superintendent of Public Instruction A. T. Atkinson, Auditor Fisher, Land Commissioner Boyd, Treasurer Kipolai and Secretary Hawes. All of these will not necessarily be accepted and no action will take place until the arrival of the commissions several weeks hence and the installation of the new officials.

The office left vacant by Mr. Carter, as well as possible accepted vacancies will be sought for by candidates and wire pulling will be in progress. Mr. Carter states that he will not consider any such matters until politics close. J. G. Pratt has announced himself as candidate for the secretaryship of the Territory. Senator Clarence Crabbe is also out for the position. A. L. C. Atkinson who is generally regarded as likely to be offered the post, stated yesterday that he could not decline a position until the same was offered to him.

DELEGATE KUHIO CABLED TO DENY HOME RULE TALK

A Purported Message From Him Is Displayed at Home Rule Meeting.

Honolulu, Nov. 1, 1903.

To Kuhio, Columbus, Ohio, care of Chairman Dick, Republican Committee.

Your cablegram read at Home Rule meeting, stating that you were at their service. Will you deny this, also kuokoas' boast you desire Republican defeat.

ATKINSON.

Honolulu, Nov. 1, 1903.

To Dick, Chairman Republican Committee, Columbus, Ohio.

Our Delegate's personal supporters boast that he desires Republican defeat here. Can you secure immediate denial for our campaign use?

BUCKLAND.

In addition to the foregoing urgent cablegrams sent to Columbus, Ohio, yesterday, Secretary George R. Carter, the President's nominee for Governor of Hawaii, cabled direct to Prince Kuhio Kalaniana'ole, Delegate to Congress, asking him if it was possible he was opposing Mr. Carter's nomination.

Answers to all these messages were awaited until a late hour last night without result, but something early today is confidently anticipated.

While the immediate occasion for these demands upon the Delegate elected by the Republican party of Hawaii for a vindication of his fidelity arose suddenly, leaders of the party here had for some time been anxiously following up clues to matters of a most suspicious nature.

Clarence W. Ashford, Home Rule candidate for supervisor in the Fourth District, at the protracted Home Rule meeting that lasted into Sunday morning, threw the fat into the fire. Flourishing a cablegram in the air he declared that it was from "Prince Cupid" and contained the message, "I am at your service," which was explained to be an answer to requests forwarded to him for a declaration of his sympathy with the Home Rulers in the county campaign and for his opposition at Washington to the nominations of Secretary Carter for Governor and Governor Dole for Federal Judge.

Ashford's demonstration would of itself have been discounted as an electioneering trick but for the fact that disturbing statements had for some little time past been coming to the ears of Republican leaders. A few weeks ago, it will be remembered, the Bulletin published a news item to the effect that the Kuokoas who left the Home Rule party to aid the election of Prince Cupid had "come back" to the Home Rule party, on which the Advertiser twitted the Bulletin upon the employment, as a professedly Republican paper, of the phrase "come back" instead of "gone back," indicating that the Bulletin and the Home Rule party were of one and the same household.

About the same time some of the Kuokoas who retained and still retain their fealty to the Republican party gave definite information of open boasting on the part of the deserters that there was an understanding between the Home Rulers and Delegate Kuhio. As the campaign warily advanced these boasts became more pronounced and, following up the threads, the Republican leaders elicited a somewhat

connected statement from Home Rulers as to the understanding with the chief Republican standard-bearer in the Territorial elections of which they boasted.

According to the information from the sources indicated, before Delegate Kuhio left Honolulu to attend the special session of Congress he took part in conferences of politicians opposed to the Territorial administration. At these meetings, the accounts go, it was planned that the Delegate and his immediate personal following should work for the defeat of the Republican party in the county elections. This end accomplished would show that only Prince Cupid at its head saved the Republican party from defeat at the Territorial elections last November. Thus the Washington administration would see that to save Hawaii for the Republican party at the next Territorial elections, Delegate Kuhio would have to be conciliated by giving him control of the Federal patronage for Hawaii.

With such control in the Delegate's hands, Treasurer A. N. Kipolai was to be made Governor, and Wm. H. Coney Secretary of the Territory, as part of the scheme.

All this was too much for the Republican leaders and organization officials to believe of the Delegate. They hoped despite the direct course of the intelligence from Home Rule quarters that it was merely braggadocio fabricated for election purposes and that, should it be employed in the open, it could be readily exploded with damaging effect to its authors.

To have the plot ostensibly verified by the Delegate himself, through the purported cablegram brandished by Mr. Ashford at a Home Rule public meeting, instantly made the matter serious.

A. L. C. Atkinson and C. R. Buckland, who have been closely and confidentially attached to the Republican organization, promptly took the action already indicated, followed by that of Secretary Carter, to obtain the earliest possible repudiation by Delegate Kalaniana'ole of the aspersions upon his character for open and straightforward dealing which the Home Rule boasting involves.

PROCESSION AND SPEECHES WILL CLOSE THE CAMPAIGN

A final rally with a monster torch-light procession will close the Republican campaign tonight. The speaking will be from a platform erected in Palace square and some of the best speakers of the city will talk.

The marchers will assemble at the drill shed at 6:45 o'clock and the procession will move at 7:30 o'clock. Torches for a thousand men have been provided but an additional thousand men are expected to be in line. The procession will be in charge of Major Ziegler and Captain Samuel Johnson.

The speakers of the evening will be: Hon. R. W. Breckons, United States District Attorney; Lorrin Andrews, E. A. Douthitt, Hon. J. J. Dunne, Assistant United States Attorney and John Gandall, the silver tongued orator of Kauai. A. B. Loebenstein of Hilo will also make an address as well as the Republican county candidates on Oahu. Berger's band will furnish music for the meeting, which is expected to be the biggest one of the campaign. Republicans are requested to participate in the parade and meeting.

SOFT RIDER LITTLE HAS HIS PICTURE TAKEN IN KHAKI FOR ROOSEVELT



HILO, Oct. 30.—The Little campaign for reappointment has begun. Not satisfied with a picture taken in Judge Galbraith's borrowed robes—a picture in which Little assumed a look of Roman justice untempered with mercy—our remarkable jurist has now appeared in the guise of a Rough Rider. The accompanying picture represents him as full of Strenuous Life and it is intended for the President's eye alone. Observe the knaki suit, the slouch hat, the top boots, the martial attitude, the mouth pursed, the eyes turned sternly towards a possible foe, the defender-of-the flag atmosphere over it all. When the President sees this martial portrait he will say—unless Little's guesses are all wrong—"Here at last is my kind of an American, a strenuous fighting Judge!" If he stops there all may be well, but Judge Little's friends are fearful that the President will want to know something about the khaki jurist's military record. In that case it is believed here that the strongest measures will have to be taken at once.

THE

Choice of Routes and Choice of Trains

The SUNSET, Central and Southern California, Arizona,
Texas, Louisiana.

613 Market St., San Francisco.

An Artistic Piece of Advertising Matter.

"No other land in all the world has
 my deep, strong charm for me but
 that one; no other land could so long-
 ingly and beseechingly haunt me
 sleeping and waking, through more
 than half a lifetime, as that one has
 for me. Other things leave me, but it
 abides; other things change, but it re-
 mains the same. For me its balmy

There are also paragraphs giving statistics of the temperature, the sugar industry, and intending visitors are referred for specific information to the Tourists' Bureau and the steamship and railroad companies.

TO BUSINESS MEN.

"DOUGHBOYS" MAY COME

Weir's Fine Manoeuvring

Passerby—"Well well! Have you been getting a licking, little man?" Little man—"You called de turn, stranger. 'Tis de Jones kid he licked me, den he licked me for losin' to de Jones

This is the age of research and experiment, when all nations, big or small, is rejuvenated by

A SURE CURE FOR CROUP.—The

Mr. Kidder—"Ah, how-der-do, doctor! You have a few minutes to spare, I wish you would come over to my house and chloroform my youngest boy." Dr. Rice—"What is the matter with the boy?" Mr. Kidder—"Oh, his mother wants to comb his hair."—Harper's Bazar.

CHINA LINE HAS
BEEN ABANDONED

"Let us have peace," said the English invader; "can you not see that the white strangers love the Redmen?" "Ah, yes," replied the intelligent Indian, "they love the very ground we walk upon."—Philadelphia Press.

me a Home Ruler because he disliked the Republican principles. He threw the Democratic party, which had put him first into the field, down flat by saying nothing of his fealty to that party. He said the Republicans intended to put the lights out tonight when the ballots were being counted, and he alleged also that the police had been instructed to use force in helping the Republican party.

Cable Operator McMichael, who was wrecked with the schooner Julia E. Mahlen on Midway, thought he had lost everything of his personal belongings. McMichael heroically struggled ashore with a box of gramophone records, but saved nothing else. News arrived yesterday that one of his trunks had drifted ashore, and that his apparel had been hung out on a line to dry.

INSURANCE.

Theo. H. Davies & Co.
(Limited.)
AGENTS FOR FIRE, LIFE AND
MARINE INSURANCE.

Northern Assurance Company
OF LONDON, FOR FIRE AND
LIFE. Established 1836.
Accumulated Funds £3,975,000.

British and Foreign Marine Ins. Co.
OF LIVERPOOL, FOR MARINE.
Capital £1,000,000
Reduction of Rates.
Immediate Payment of Claims.

THEO. H. DAVIES & CO. LTD
AGENTS.

IMPERIAL LIME
89 15-100 Per Cent Pure.

The very best Lime and in the
best containers.

In Lots to Suit.

Low Prices.

CALIFORNIA FEED CO.
AGENTS.

CASTLE & COOK CO., Ltd
HONOLULU.

Commission Merchants

SUGAR FACTORS.

AGENTS FOR
The Ewa Plantation Company.
The Waiwala Agricultural Co., Ltd.
The Kohala Cigar Company.
The Waima Sugar Mill Company.
The Fulton Iron Works, St. Louis, Mo.
The Standard Oil Company.
The George F. Blake Steam Pumps.
Weston's Centrifugals.
The New England Mutual Life Insurance Company, of Boston.
The Aetna Fire Insurance Company, of Hartford, Conn.
The Alliance Assurance Company, of London.

Castle & Cooke.
—LIMITED—

**LIFE and FIRE
INSURANCE
AGENTS. . .**

AGENTS FOR
New England Mutual Life Insurance Co.
OF BOSTON,
Aetna Life Insurance Company
OF HARTFORD.

THE NEW FRENCH REMEDY.
THERAPION This successful
remedy, used in the Continental Hospitals by Hicord,
Kocher, Joubert, Volpaci, and others, combines all
the desiderata to be sought in a medicine of the
kind, and surpasses everything hitherto employed.
THERAPION No. 1 maintains its world-
renowned and well-deserved reputation for damage-
ment of the kidneys, jaundice, the back, and
kindred ailments, affording prompt relief where
other well-tried remedies have been powerless.
THERAPION No. 2 for impurity of the blood,
acidity, pimples, spots, blotches, pains and swelling
of joints, gout, rheumatism, & affections for which
it has been too much a fashion to employ mercury,
arsenic, etc., to the destruction of sufferers' teeth
and ruin of health. This preparation purifies the
whole system through the blood, and thoroughly
eliminates all noxious matter from the body.
THERAPION No. 3 for exhaustion, sleep-
lessness, and all distressing consequences of
disipation, worry, overwork, etc. It promotes
surprising power in restoring strength and vigor to
those suffering from the debilitating influences of
long residence in hot, sultry climates.
THERAPION is sold by the principal
Chemists and Druggists throughout the world.
Price in England, 2s. 6d. and 4s. 6d. In order
to state which of the three numbers to re-
quire, and observe that the word "THERAPION"
appears on the British Government Stamp (in
white letters on a red ground) affixed to every
genuine package by order of His Majesty's Hon.
Commissioners, and without which it is a forgery.

CANADIAN PACIFIC RAILWAY
The Famous Tourist Route of the
World.

In Connection With the Canadian-
Australian Steamship Line
Tickets are issued

To All Points in the United States
and Canada, via Victoria and
Vancouver.

MOUNTAIN RESORTS:
Banff, Glacier, Mount Stephens
and Fraser Canon.

Empress Line of Steamers from Vancouver
Tickets to All Points in Japan, China,
India and Around the World.

For tickets and general information
apply to
THEO. H. DAVIES & CO. LTD.
Agents Canadian-Australian S. S. Line,
Canadian Pacific Railway.

COMMERCIAL NEWS

Aside from the completion of two or three buildings and the merger of the principal draying firms, the commercial world was stirred but little last week. The sugar crop is now entirely in and by next Tuesday the strain of elections will be over.

The stock market has been flaccid this past week practically no sales being reported and quotations varying little. Dividends of C. Brewer and Co., 2 per cent, Onomea (S. F. Nov. 5) 2, Ewa 1-2, Pioneer one-half, Waimanalo 1, Inter-Island Steam Navigation 1, and Hawaiian Electric Co., one-half per cent have been listed.

The appointments of Governor Dole to the bench and Secretary Carter to the executive office have been hailed unanimously by the merchants as a harbinger of prosperity. The general feeling is that of relief at such a satisfactory filling of the vacancy left by the late Judge Este, the advent of a judge more or less alien to local circumstance and feeling having been feared. The new governor and the new judge will receive the cordial support of the merchants.

The closing of the long campaign and the prospects of Republican victory are being greeted with enthusiasm by commercial folk who feel strongly that prosperity waits upon good government. Investments show a strengthening tendency and loans are easier the general feeling being one of security.

The Odd Fellow's building has progressed rapidly since the ceremonial of laying the corner stone last Sunday, the brick work being now up to the second floor with the truss work in position. The Robinson block on Queen street is completed and Kerr and Company are preparing to move into their new store on Alakea street this week. Another building ready for occupancy is the small cement faced erection of J. H. Fisher's that fits into the angle of the Oregon block on Hotel street, where a Chinese store blocked the way until the lease expired. The new building conforms with the main block though of lesser height. It is to be utilized as a cigar store with private room above and is named the Portland building.

The German school building on Beretania street adjoining the Lutheran church premises is ready for the interior finishing and will soon be filled with scholars hailing, more or less remotely, from the Vaterland.

The drayage concerns of Hustace and Peck and Co. have consolidated following the lead of the Union Express and the merger practically controls the field.

An important sale will be engineered by Auctioneer Morgan on Saturday next when the valuable land on the corner of Miller and Beretania streets, so long fallow, will be put up at an upset price of \$45,000.

The Rapid Transit cars invaded Fort street for the first time yesterday, running a ten minute service from the Honolulu Iron Works to Beretania street in connection with the mule cars on that line. Soon the Hawaiian Tramways will be entirely non-existent owing to the steady rapidity with which the trolley company has laid rails. The Fort street installation moved smoothly and no complaints of overcrowding were made.

P. C. Jones returned last week from the Banker's Convention. Hawaii's credit, the news being backed by Governor Carter's assurance, seems exceedingly firm on the mainland where the territory is considered as now firmly fixed on an American basis. R. W. Shingle has returned from visiting Hawaiian plantations.

Dr. Russel of Oloa, left for the Orient, where he expects to secure capital for creating a plantation out of the 4000 acres on Oloa over which he has secured control. \$200,000 of this money is already said to be in sight from local sources.

LUTHERAN SCHOOLHOUSE IS DEDICATED WITH CEREMONY

The new schoolhouse attached to the German Lutheran church on Beretania street was dedicated yesterday afternoon, the exercises in the building being witnessed by several scores of Germans or those of German descent. The exercises were patriotic in nature, not only in the addresses, but in the decorations of flags, the standard bearing the Imperial arms and the merchant flag being conspicuous at opposite ends of the assembly room, while the Hawaiian and American flags were draped over entrances.

H. A. Isenberg opened the exercises by announcing a hymn, which was followed by a call, as is done at all public German gatherings, for three cheers for the nation and its emperor, and these were given with a will. Mr. Isenberg then spoke of the establishment of the new school, in connection with the work of Pastor Felmy in the Lutheran church, and of the gratification he felt in knowing that the work of education among the young was about to commence. At the conclusion of his address the audience sang Heil Dir un Siegeskranz, the air being the same as that of America.

Pastor Felmy made a long but interesting address on educational matters, comparing the educational methods of Germany with those of other countries, in which he stated that those of the former excelled. He spoke of the need for a school in connection with the Lutheran church, and looked for a prosperous career for the institution. Pastor Felmy gave much credit to Ed. Duisenberg of H. Hackfeld & Co., Ltd., who was the architect of the school, which conforms to the general lines of the quaint church structure. Mr. Duisenberg was also the architect for the new residence of H. A. Isenberg.

At the conclusion of the literary exercises, ice cream, cake and lemonade were served by a committee of ladies of which Mrs. Isenberg was the head.

The school is a pretty structure, the interior being divided into a pastor's study, with a hall leading to the main school room, with smaller rooms at the rear. The schoolroom is very attractive, the walls above the dado of blackboards being painted a delicate blue, which accords well with the natural light-colored wood finish. Of the money required to build the school \$3,000 was furnished by Mrs. Hackfeld, widow of the late Henry Hackfeld, founder of the house of Hackfeld. The remainder of the money came from the church fund. The school was primarily established as a means of giving the pastor an opportunity to convey instruction in Lutheran matters to the young children, and this will be extended to give children of German parents a higher education in their own mother language. The education is provided free of cost to the children.

The committee which has had the matter in hand, the members of which are also the officers, is as follows:

H. A. Isenberg, president; F. A. Schaefer and Rev. W. Felmy, vice-presidents; C. Du Roi, secretary; H. Schultze, treasurer; P. Lemke and J. Lecker, trustees.

The Pope's entourage have silenced his family. Its members talked too much to newspaper reporters from all quarters of the globe. His three spinster sisters are now in Rome, but not in a convent. They lodge in a street near the Vatican, which is in a populous quarter of the city, on a third floor. The brother, who keeps an inn at Riese, is about to sell it. Emily Crawford says that the Curia thinks that if it is no harm to be of humble birth, it is not a thing to parade, and that all the talk about the Pope's lowly origin is getting on the nerves of educated Catholics.

CREDIT WHERE DUE

INTERVIEW WITH A VETERAN OF
THE REGULAR ARMY.

Says Dr. Williams' Pink Pills Cured
Him of Nervous Debility and
He Recommends Them.

A veteran of the regular army, having served in Company F, Fifteenth U. S. Infantry, and a well-known citizen of Broadhead, Wis., Mr. E. E. Eddy, desires that credit be bestowed where it is due and, in an interview, he says:

"I was a sufferer from nervous debility and would probably be suffering yet if I had not seen Dr. Williams' Pink Pills for Pale People mentioned in a newspaper article. I am a sign painter by trade and the nervousness compelled me to drop work entirely. For two weeks I was confined to my bed. The usual remedies were prescribed but did not help me. My appetite failed and I believe that my liver became affected for I was hopeless and despondent. Then I saw the article about a wonderful cure effected by Dr. Williams' Pink Pills and I decided to try them. They helped me from the start. I soon found that my nerves were steadier, I regained my appetite, increased in strength and vigor and was soon entirely well. I give the entire credit for my cure to Dr. Williams' Pink Pills for Pale People and have recommended them to a large number of people."

Dr. Williams' Pink Pills for Pale People cure nervous disorders because they follow a vital principle in medicine of which Dr. Williams was the discoverer, and the secret of his discovery is embodied in this wonderful remedy. The pills have a double action—on the blood and on the nerves. It is this unique fact that makes them different from any other medicine and gives them power to cure where ordinary mixtures of common drugs fall completely. They have cured stubborn cases of rheumatism, locomotor ataxia, partial paralysis, St. Vitus' dance, sciatica, neuralgia, nervous headache, the after-effects of the grip, of fevers and of other acute diseases, palpitation of the heart, pale and sallow complexions and all forms of weakness either in male or female. Dr. Williams' Pink Pills for Pale People are sold by all dealers, or will be sent postpaid on receipt of price, fifty cents a box; six boxes, two dollars and fifty cents, by addressing Dr. Williams Medicine Company, Schenectady, N. Y.

Humane Officer Inhuman.

Humane Officer Benoit is alleged by his wife to be quite the opposite to what his title implies. Mrs. Benoit yesterday swore to a warrant charging him with having beaten her. The humane officer had previously had his wife arrested for being drunk, as he alleged. The case came up in the police court yesterday and was nolle prossed.

Arrival of the Steamer
Kauai From French
Frigate Shoals.

Captain Haglund, port captain of the Inter-Island Steam Navigation Co., who headed the expedition a week ago on the steamer Kauai which went to the French Frigate Shoals to save the wrecked French bark Connetable de Richmond, returned from the island of Kauai yesterday on the steamer Ke Au Hou. He reports the expedition unsuccessful, as the French bark had heeled so far over to the port side that her deck was in a perpendicular position, and her yards were under water. The bow was jammed between rocks in shallow water, while three-fourths of the hull was submerged in deep water, the mizzenmast being entirely under. Little material could be saved and the Kauai returned to Kauai with practically few remnants of her trip. The Kauai arrived at the shoals at 7 a. m. Sunday, October 25. In the middle of the curved reef forming the shoal runs a smaller reef in which is a small indentation, and the French bark was found lying in this. The Kauai steamed around the reef, and was five hours in making the trip. She picked her way through the coral heads cropping up with the curve, the utmost care being required to prevent her striking. At 1 o'clock the steamer was within two miles of the wreck, and the anchor was dropped. Captain Haglund went over to the bark in a boat. He found the only part above water was the foremast, and as most of the hatches had been left open, the vessel was waterlogged, except in the part forward of the foremast.

Captain Haglund says that there is no possibility of floating the bark. A diver will be required even to remove the winches and gear from the deck. The Kauai left the French Frigate Shoals about 4:30 p. m. Sunday. No further attempt will be made by the Inter-Island Company.

Lillooalani at Ball.

Graced by the presence of Queen Lillooalani, the ball given at the Young Hotel by the Ahahui Guild of St. Andrew's Cathedral, was a pleasant affair, enjoyed by three or four hundred people. The Guild is the Hawaiian adjunct of the church, and took the opportunity to raise money as well as to give the guild president, Queen Lillooalani, a farewell function, as she leaves on the Korea for Washington. The makai ballroom was used for dancing, the Ellis quintette club furnishing the music. Queen Lillooalani was escorted by Prince David Kawanakoa. She occupied a conspicuous space at the Ewa side of the hall and was regal in a gown of ivory silk with an over-dress of spangled silver net. Her ornaments were diamonds and turquoises.

THE HAMMER
KNOCKS ALL

No Law for Redemption
of Property After
It is Sold.

"There is no statute in this Territory authorizing a mortgagor or other party in interest to redeem mortgaged property after foreclosure sale."

A judgment creditor of the mortgagor has no right to redeem the mortgaged property after sale under foreclosure in the absence of a statute expressly conferring that right.

The foregoing is the syllabus of a unanimous decision of the Supreme Court in the suit of Aseu Brown vs. Hattie Bannister and Andrew Bannister, her husband, and A. Wiggins. Justice Galbraith is writer of the opinion, which affirms a decree of Judge Gear sustaining a demurrer and dismissing a bill to redeem property sold under foreclosure of mortgage.

While under mortgage the premises of Andrew Bannister were advertised to be sold on April 4, 1902, under an execution on a judgment in favor of Aseu Brown, plaintiff in this case, but on March 10, 1902, the property was sold under foreclosure of a mortgage executed in 1898. Hattie Bannister was the purchaser for \$710. Wiggins was a subsequent mortgagee of the premises. On March 19, 1902, the plaintiff tendered to Hattie Bannister the amount of the purchase money and expenses, and demanded a conveyance to herself, the plaintiff. This demand being refused, Aseu Brown brought a bill in equity for an order compelling a conveyance of the premises to her on the payment of the purchase price and the necessary expenses. A demurrer to the bill was sustained on the ground that the bill failed to state a cause of action.

The court finds that, assuming the plaintiff by the execution obtained a valid lien on Andrew Bannister's interest in the property, "this interest at that time was no more than an equity of redemption and by the sale under the power in the mortgage this interest was foreclosed, cut off and terminated. Andrew Bannister, the mortgagor, had no right to redeem the property after the sale and certainly his creditor, the plaintiff, had no greater right in it than he had."

"Whatever the plaintiff's rights may have been prior to the sale, had she availed herself of them, it is clear that after the sale she had no right to redeem the property in the absence of a statute expressly conferring that right. There is no statute in this Territory giving to mortgagors or other parties in interest the right to redeem property sold under foreclosure proceedings."

The opinion is signed by Chief Justice Frear and Justices Galbraith and Feary. Frank Andrade appeared for plaintiff; Smith & Lewis and Louis J. Warren for defendants.

FEBRUARY TOURISTS

The trend of duty organized tours has set towards Hawaii. Charles H. Gates of Toledo, Ohio, who for eleven years has been conducting parties of travelers on pleasure bent to various tourist haunts, has, with the issue of an attractive brochure entitled "Hawaii and the Volcano of Kilauea," announced two tours to this Territory of three weeks and four weeks duration starting respectively from San Francisco and Chicago on February 29 and February 11, both parties arriving here on February 27th.

A round trip rate including absolutely all expenses of the trip except steward fees fixes the price at \$245 from San Francisco and \$410 from Chicago. Tickets are good for four months if a longer stay is desired.

The itinerary in each case includes a trip to the Kilauea Volcano and Hilo. There will be shorter trips to Waikiki beach, Kapiolani Park, Punchbowl hill, Nuuanu Pali, Manoa valley and a trip over the Oahu railroad, through Ewa plantation to Waiwae. There will also be carriage drives to Bishop Museum and other places of interest in Honolulu.

Hawaii is described in the brochure, which is illustrated as a "Pacific Paradise," as the "Land of Perpetual Bloom," where perpetual summer reigns, the atmosphere is soothing, refreshing and sweet, especially during the winter months offering an incomparable retreat for the delicately constituted.

PATTERSON
TO LOCATE
LIGHTHOUSES

The U. S. Coast and Geodetic Survey steamship Patterson, Captain J. F. Pratt, will arrive at Honolulu the early part of November to determine the exact locations of the lighthouses and beacons on all of the Islands. The principal work, however, will be to more accurately determine the locations of the lighthouses not definitely placed on the maps.

The Patterson will also do some hydrographic work and take soundings mainly in the neighborhood of the west end of Molokai and the east end of Oahu.

Prof. W. D. Alexander, assistant in the U. S. Coast and Geodetic Survey, has been apprised of the Patterson's coming.

Rev. R. L. Halsey, who is soon to arrive and begin duties here as an immigration inspector, will also act as Japanese interpreter when required.

Ayer's
Cherry Pectoral

soothes irritable throats, heals inflamed bronchial tubes, and quiets congestion in the lungs. This is why it so quickly controls these old coughs and prevents pneumonia and consumption.

"I was troubled with a very hard cough which I could not get rid of. When I read of Ayer's Cherry Pectoral I sent to Johannesburg and procured a bottle. It completely cured me, and I have many comrades here who have had hard coughs cured in the same way."

—Wm. S. Sissons, Company C, Second Royal Berks Reg., Nel's Spruit, Transvaal, S. Africa.

There are many substitutes and imitations. Beware of them! Be sure you get Ayer's Cherry Pectoral.

Two sizes. Large and small bottles.

Prepared by Dr. J. C. Ayer & Co., Lowell, Mass., U.S.A.

HOLLISTER DRUG CO.

DYNAMITED JAP
FISHING SAMPAN

About midnight last Wednesday Custom House men on watch heard a dull report, the sound coming from the harbor. A few hours later, the watchman on the Inter-Island wharf found the shattered bulk of a large Japanese fishing sampan floating near the wharf, and he made it fast. Investigation showed that the inside of the craft had been ripped and smashed by an explosion which subsequently turned out to have been done with dynamite. On Thursday the owner, Kamamura, claimed the wreck. From him it was learned that the sampan had been moored at the makai end of the channel wharf as usual on Wednesday night, but he had failed to sleep in it at that time. Some one, probably an enemy, had doubtless placed sticks of dynamite in the craft. Just how the explosion was effected has not been shown. The owner's loss will be several hundred dollars, as all his belongings, fishing tackle, crockery, food, etc., had been stored in it. The matter is being investigated by the police.

PAYMASTER RHODES
DIES OF APPENDICITIS

Paymaster Stuart Rhodes of the U. S. Naval Station died yesterday afternoon at four o'clock. He was operated upon for appendicitis on Wednesday but death was not immediately due to the operation, the patient being in a very low state of vitality. The remains will be shipped to California on the Naval Supply Ship Iris, which leaves for San Francisco tomorrow.

Paymaster Rhodes was 28 years of age and had attained the rank of lieutenant in the pay department. He secured his appointment some three years ago through the influence of Mark Hanna, a close friend of his father, now dead for some years. He passed through Honolulu three years ago on his way to duty with the Asiatic squadron as assistant paymaster and was appointed in charge of the Honolulu station in April of this year relieving Paymaster Hall. He came from Batavia, New York.

The late paymaster was expecting his mother, Mrs. C. L. Rhodes, to join him at Honolulu. Mrs. Rhodes is now at San Francisco and a cablegram was sent to her by Admiral Terry Thursday to prevent her starting. Owing to an uncertainty of address the message failed to connect and was returned. Another message was sent to the Colonial yesterday which it is hoped will reach her in time. She was supposed to have come by the transport Sheridan, which leaves San Francisco today, though another rumor has it that she intended leaving by the Sierra on Thursday in which case the message was of no avail. The deceased was her only child.

The deceased was attended by Dr. Taylor, the naval surgeon, who with assistance performed the operation. The patient's pulse was barely perceptible after the operation until death, though Paymaster Rhodes himself retained consciousness and expressed a belief yesterday morning that he would pull through.

Admiral Terry stated last night that there would be no official funeral beyond the accompaniment of the casket to the Iris by the officers now here. The Iris will be away and Captain Niblack III there is no available way of holding any public ceremony. A successor will shortly be appointed.

Returned to Honolulu.

Dr. William Daniel, graduate from the dental department of the University of Pennsylvania, class of 1886, returned recently from an eight months' sojourn in the States where he took a post graduate course and spent some time in perfecting himself in all the latest methods applied to dentistry. Dr. Daniel opened the New York Dental parlors in Honolulu about three years ago and now returns to assume charge again, this time to remain permanently, at 1057 Fort street, over the Honolulu Photo Supply Co.

PROTECT YOURSELF and family against attacks of pneumonia by securing at once a bottle of Chamberlain's Cough Remedy. If this remedy is taken on the first appearance of a cold all danger will be avoided. It always cures and cures quickly. Sold by all dealers and druggists. Benson, Smith & Co., Ltd., Agents for Hawaii.

Hamburg-Bremen Fire Insurance Co.

The undersigned having been appointed agents of the above company are prepared to insure risks against fire on Stone and Brick Buildings and on Merchandise stored therein on the most favorable terms. For particulars apply at the office of

F. A. SCHAEFER & CO., Agents

German Lloyd Marine Insurance Co. OF BERLIN.**Fortuna General Insurance Co. OF BERLIN.**

The above Insurance Companies have established a general agency here, and the undersigned, general agents, are authorized to take risks against the dangers of the sea at the most reasonable rates and on the most favorable terms.

F. A. SCHAEFER & CO., General Agents.

General Insurance Co. for Sea River and Land Transport. of Dresden.

Having established an agency at Honolulu and the Hawaiian Islands, the undersigned general agents are authorized to take risks against the dangers of the sea at the most reasonable rates and on the most favorable terms.

F. A. SCHAEFER & CO., Agents for the Hawaiian Islands.

THE CLIFTON

T. K. JAMES, Proprietor.

Private apartments, en suite and single. Finest appointed and furnished house in Hawaii. Mosquito proof throughout. Hotel street, near Alakea.

CHAS. BREWER CO'S NEW YORK LINE

BARK NUUANU Sailing from NEW YORK to HONOLULU November 5th-10th. FREIGHT TAKEN AT LOWEST RATES. For freight rates apply to

CHAS. BREWER & CO., 27 Kilauea St., Boston, or C. BREWER & CO., LIMITED, HONOLULU.

Hollister's Roach Food

KILLS COCKROACHES

25c

TRY IT

HOLLISTER DRUG CO.,

FORT STREET.

CAPT. WHITING MAY BE ADMIRAL

The voluntary retirement of Rear Admiral Bowles from the navy, would, if the natural order of promotion was permitted to stand, give Captain Whiting the rank of Rear Admiral. However, Lamberton, Chadwick and McCalla, are italicized officers, who may be advanced without resort to the natural process of promotion, which would keep Whiting still at the head of the waiting list.

May All Sleep by the Wayside.

John Wise, who has become the Home Rule candidate for Sheriff, is distributing campaign cards bearing his picture and the following legend: "Whose aim will be to purge the county of evil-doers and carry out the law laid down by Kamehameha I., that 'Old men, old women and children may sleep by the wayside' because safety will reign over the land."

J. A. Thompson, second deputy clerk of the Judiciary, returned yesterday from Walluku, where he performed the duties of stenographer at the Second Circuit term. The Advertiser gratefully acknowledges the regular receipt of reports of proceedings from Mr. Thompson.

Mr. and Mrs. Julian Monsarrat of Kapapala, Hawaii, arrived in the Mauna Loa to meet the steamer Sierra next week bringing the remains of their only son Melville, who died in California last Sunday from being accidentally shot the previous day.

W. H. Wright, the absconding ex-treasurer of Hawaii, is believed to be at present either in the City of Mexico or Chihuahua.

AN ANCIENT JUDGMENT**Offered for Entry After Many Years.**

A Supreme Court suit of a kind not often brought has been filed. It is under the title of Punilama (w) vs. Mele (w), a case decided by the Supreme Court in banco at the November term of 1868, just thirty-five years ago. The judgment then given was against the defendant Mele and her husband, Maikai, for the possession of certain premises at Auwailimu, Honolulu, being a triangular lot with sides 65 x 59 x 65 feet.

R. Maka by his attorneys, Castle & Worthington, represents the foregoing facts to the court, also the following, condensed from his petition: No formal judgment was entered by the clerk and no execution on judgment taken out, but Punilama the plaintiff and her husband, Awahua, entered into possession of the premises under the judgment. Mele, however, continued to live in two rooms of a house upon the premises. Subsequently to the judgment the interest of Punilama was conveyed to the petitioner, R. Maka, who further says:

"That, as your petitioner is informed and believes, the said Mele continued after the Hawaiian fashion (being a friend of the former owners of the land), to live in said rooms and, so far as your petitioner knows, without paying any rent therefor other than occasionally paying something toward the water rates, but without making any claim to any right there, excepting by the consent of said Punilama and her successors in title, until a recent time, namely, within less than one year, when she, under the advice of others, first made two claims that she had a right to the land; first, that she had a right to the whole land under a deed from Punilama, being the same deed adjudicated to be void in this action; and, second, that she had a right to live there on account of long residence, and being notified declined to remove from said land. That said Maikai is dead."

The prayer of the petitioner is that the court may order a writ of scire facias to issue to Mele to appear before the Supreme Court and show cause why judgment should not be formally entered in favor of the plaintiff and against the defendant, and why execution against the defendant for possession of the property should not be issued.

JURY TRIALS.

The trespass case of W. J. Lowrie vs. Kalua Kaikainahele went to the jury at 11:10 a. m. yesterday, but up till the closing hour of 4 p. m. no verdict had been returned. At the conclusion of evidence on both sides the jury asked to be taken to Ewa to view the disputed premises, but Judge De Bolt denied them the jaunt.

In the Haggy case of Harrison vs. Magoon and others, the plaintiff's case is still on before Judge Robinson. Yesterday was the third day of the trial.

LEGISLATOR'S WINE BILL.

Suit has been brought by the Koloa Wine Co. against H. A. Jaeger, a member of the House of Representatives, to recover a debt of \$2,192.31 for goods delivered. McBryde Sugar Co., Ltd., is summoned as garnishee.

DEFENDS HIS MARRIAGE.

Albert Christian has answered the petition of Eliza R. P. Holt, his alleged minor wife, brought by Annie Holt Kentwell as her relative and guardian, to annul her marriage to him. He denies the guardianship of Annie Holt Kentwell and the alleged imbecility of his wife, and declares he has no reason to believe that Eliza R. P. Holt at any time has had, or that she now has any property or estate requiring the care of either herself or of any other person. He says he is not aware whether or not Eliza is an heir presumptive to property in which her father has a life estate. Whether this is so or not, he maintains the fact is immaterial in the case.

Christian declares that on January 20, 1903, said Eliza R. P. Holt was an unmarried female of the age of 17 years, and competent physically and mentally to contract marriage; that on that date she lawfully intermarried with him, thereby becoming his wife, and her true name is not Eliza R. P. Holt but Eliza R. P. Christian.

Compulsion or undue persuasion to such marriage of the nominal plaintiff on the part of the respondent, or that of George C. Sea and wife, is denied. The marriage was entered into with the full consent of the woman's father, John D. Holt, Sr., and in accordance with his wishes and desires. It is declared that the suit has been brought by Annie Holt Kentwell without justifiable authority and "for the purpose of endeavoring to dissolve and break up a proper and happy marriage," and praying that the petition be dismissed; it is finally alleged "that respondent and said wife are deeply and affectionately attached to each other, and that there is no reason either legal or moral within the knowledge of this respondent why said marriage should be dissolved, or otherwise avoided or held for naught." C. W. Ashford is attorney for respondent.

DIVORCE SUITS.

Daniel Pihenui sues for divorce from Keakakala Pihenui on the ground of desertion.

Judge De Bolt has granted a divorce to Wm. E. Hadley from Rose A. Hadley on the ground of extreme cruelty. J. P. Ball appeared for libellant. Libellee, who was served with summons

SAVE THE CHILDREN.

Disease plays its worst havoc among the young. The great majority of the human race die in childhood and youth. Parents do not watch the ills of their children. Age and maturity are blind and selfish. It is the children that need care and protection. Many years ago, a medicine adapted to the complaints of the little ones, a medicine at once efficient and safe, was not to be had. Science had not discovered it, just as it had not discovered how to prevent fevers after surgical operations, or to destroy the germs of infectious complaints. Now, we have in

WAMPOLE'S PREPARATION

a true and real specific against the ailments which for ages have emptied cradles and broken mother's hearts. This remedy contains the nutritive and curative properties of Pure Cod Liver Oil, extracted by us from fresh cod livers, combined with the Compound Syrup of Hypophosphites and the Extracts of Malt and Wild Cherry. Mothers will be glad to hear that it is palatable as honey. Not even the most squeamish little toddler in the house will refuse to take it; and it will make him well and strong, as it has done a host of children. It is the medicine above all others for grown people too; it purifies the blood and overcomes Throat and Lung Troubles, Debility, Dysentery and Loss of Flesh. Dr. J. I. Brown says: I have used your preparation and am very much satisfied with the results. I have given it to my children who have derived more benefit from it than they did from any other remedy. From the very first dose you will realize benefit. It always does what you hope for from it; there is no disappointment. Sold by chemists here and everywhere in Europe, Asia, Africa, Australia, North and South America.

KALUA'S JURY QUILTS IN DISGUST

The Maui grand jury made a report Wednesday morning upon the peremptory order of Judge Kalua, although it had not completed its work.

The grand jury reported that it had started to investigate Kalua's own court, when shut off by the Judge, who insisted on an immediate report. The jurymen denied most emphatically an insinuation by Judge Kalua that "they were trying to prostitute the power in their possession for political purposes."

The matter left unfinished was alleged irregularities in the office of the court clerk. The jury however recommended that the accounts of the clerk be investigated by the Territorial auditor and that in the meantime the incumbent be suspended.

The jury also found the Walluku police force to be slack in its duties and that there was a complete lack of discipline. Separate committee reports are included. One finds that the Walluku Sugar Co. should be compelled to have flagmen at its railroad crossings and also finds that the company's molasses tank is a menace to public safety. The Walluku roads are found to be bad, and backs are not living up to regulations. Obstruction of streets was found to be an increasing evil. The jury also finds that Geo. H. Cummings and Clement Crowe are guilty of gross immorality.

Judge Kalua adjourned court out of respect to Judge Este.

in California, made no appearance.

NEW ATTORNEY.

Robbins B. Anderson has been admitted to the practice of law before the courts of the Territory. He is 28 years of age, a native of Matawan, N. J., and his last place of residence was Duluth, Minn. Mr. Anderson studied four years at Yale College and three years at Harvard Law School, receiving the degrees of A. B. and LL. B. He has not heretofore been admitted to practice before any court. The new attorney comes to the law office of Hatch & Ballou, highly recommended by Prof. James Barr Ames of Harvard Law School in a letter to Mr. Ballou.

Death of Mrs. Gartner.

News of the death of Mrs. F. A. Gartner at El Paso, Texas, on October 10, was received by friends in this city by the steamer Siberia. Mrs. Gartner was the wife of F. A. Gartner, who, during Colonel Ruben's regime here was Superintendent of Construction of the U. S. Army Quartermaster's Department. Mrs. Gartner resided in Honolulu for about two years and was highly esteemed by many friends, who will be pained to hear of her death. Mrs. Gartner's remains were taken to Delaware, Ohio, the family home, for interment.

INFLUENZA is always more or less prevalent this season of the year. This disease is very similar to a severe cold and if allowed to take its course is liable to cause serious results. The best treatment for influenza is to avoid exposure and take Chamberlain's Cough Remedy. This medicine gives immediate relief and if used as directed, will ward off all dangerous consequences. For sale by all dealers and druggists. Benson, Smith & Co., Ltd., Agents for Hawaii.

The Japanese fair was well patronized yesterday.

PINE TREES FOR HAWAII**Experiment to Be Tried Close to Kilauea.**

Yesterday was distribution day at the Government Nursery on King street under the new regime which permits of weekly allotments only after careful visiting or requests, and C. Jonathan Austin, superintendent of the nursery, with his assistant, was kept busy supplying the wants of those who wish to improve their property free of cost through Government beneficence.

When the nursery was under the control of Commissioner Wray Taylor, orders for plants were given lavishly and to a great extent without proper discrimination and for some time an elaborate abuse of the Government's generosity was practiced. Then it was discovered that parties were in the habit of getting as many as eight dozen plants at a time, principally small house palms of the more valuable species. These they would convey home, pot and nurse without expense to themselves until they reached a size to command a ready market at from fifty cents to a dollar. This flagrant abuse of the system almost resulted in the closing up of the free distribution especially when coupled with the fact that almost the entire time of Mr. Austin was daily being taken up by people with orders, many of whom regarded the piece of paper as an equivalent to a day to be spent at the nursery asking advice and all conceivable information from the superintendent.

When the lapse of the Agricultural Department brought its affairs under the jurisdiction of the Superintendent of Public Works, Mr. Cooper decided to systematize the distribution of free plants. An application has to be made to the Board of Agriculture setting forth exactly what is required. In the old days the orders frequently read: "Plants as selected." The name and other particulars of the filled in request are entered in an indexed register which is also consulted to see when the applicant may have made former request and what was secured at that time. In this way a constant check keeps the distribution within reasonable bounds.

An order is limited to one dozen house plants, one dozen trees suitable for wind breaks and half a dozen fruit trees. After being visited the orders are made for the requests, redeemable on Fridays. This regulates the work of the superintendent and gives his time to other details of his work of more value to the community.

There is now flourishing in the nursery a colony of seedling pines, raised from seed cones sent from California, the natural habitat of the species selected for trial in Hawaii. An attempt is to be made to plant these on the higher levels of our mountains beyond the ordinary arboreal limit and it is thought that they will do well and prove a valuable addition to Hawaii's list of imported trees.

The experiment will be started on the island of Hawaii under the superintendence of O. T. Shipman of the Koa Grove Ranch, one mile northwest of the Volcano House. Mr. Shipman, who willingly pays the freight on the shipment, will set out young pines on Koa Grove Ranch and also essay a plantation on the ten thousand foot level higher up the mountain. The shipment will be made within a few days.

The experiment will be tried also on Oahu though Mr. Austin is doubtful whether the balmy climate of this island, with its comparatively low altitudes, will prove agreeable to the pines used as they are to more rugged surroundings.

OF UNTOLD VALUE**The Information Contained in This Honolulu Citizen's Statement is Priceless.**

The hale, the hearty, the strong can afford to toss this paper to one side impatiently when they read the following, but any sufferer in Honolulu who has spent a mint of money and suffered hours of excruciating torture caused by kidney complaint, pain in the back and sides, headaches, nervousness, frequent thirst, hot, dry skin, shortness of breath, evil forebodings, troubled sleep, puffiness of the eyelids, swelling of the feet and ankles, loss of flesh, or dark-colored urine, will stand in his own light if he does not follow the valuable advice offered by this resident:

Mr. H. G. Crabbe, of Nunanu street, clerk, now a collector, writes: "My age is 63 years, and I am blessed with children and grandchildren. For about two years I have been troubled with a severe pain in the back. A short time ago I purchased some of Doan's Backache Kidney Pills at Hillister & Co's Drug Store, and found great relief through using them. I keep some of the pills by me as a safeguard against attacks of my old complaint, which I need not fear so long as I have a remedy like Doan's Backache Kidney Pills to combat them."

For sale by all dealers; price 50 cents per box, six boxes \$2.50. Mailed by the Hollister Drug Co., Honolulu, wholesale agents for the Hawaiian Islands. Remember the name—Doan's—and take no other.

Disliked the Food.

The crew of the schooner Willis A. Holden, lying at Kaanapali, which went to the vessel from here last week, returned to Honolulu yesterday on the Mauna Loa. Their reason for quitting the boat was on account of the alleged bad food. A new crew will be shipped here and sent over today if possible.

SAVE YOUR HAIR

With Shampoos of



And light dressings of CUTICURA, purest of emollient skin cures. This treatment at once stops falling hair, removes crusts, scales, and dandruff, soothes irritated, itching surfaces, stimulates the hair follicles, supplies the roots with energy and nourishment, and makes the hair grow upon a sweet, wholesome, healthy scalp, when all else fails.

Complete External and Internal Treatment for Every Humour. Consisting of CUTICURA SOAP, to cleanse the skin of crusts and scales and soften the thickened cuticle, CUTICURA OINTMENT, to soothe and heal, and CUTICURA RESOLVENT, to cool and cleanse the blood. A SINGLE SET is often sufficient to cure the severest humours, with loss of hair, when all else fails. Ask, Demand, R. TOWNS & CO., Sydney, N. S. W., So. African Depot: LEESON LTD., Cape Town. All about the Skin, Scalp, and Hair, post free. PORTER COFF., Sole Props., Boston, U. S. A.

DR J COLLIS BROWNE'S CHLORODYNE

IS THE ORIGINAL AND ONLY GENUINE.

Coughs, Colds, Asthma and Bronchitis

DR. J. COLLIS BROWNE'S CHLORODYNE—Vice Chancellor SIR W. PAGE WOOD stated publicly in court that DR. J. COLLIS BROWNE was undoubtedly the INVENTOR OF CHLORODYNE; that the whole story of the defendant, Freeman, was deliberately untrue, and he regretted to say it had been sworn to. See the Times, July 18, 1864.

DR. J. COLLIS BROWNE'S CHLORODYNE is a liquid medicine which assumes PAIN OF EVERY KIND, affords a calm, refreshing sleep WITHOUT HEADACHE, and INVIGORATES the nervous system when exhausted. IS THE GREAT SPECIFIC FOR CHOLERA, DYSENTERY and DIARRHOEA.

The General Board of Health, London, reports that it ACTS as a CHARM; one dose generally sufficient.

Dr. Gibson, Army Medical Staff, Calcutta, states: "Two doses completely cured me of diarrhoea."

DR. J. COLLIS BROWNE'S CHLORODYNE is the true palliative in NEURALGIA, GOUT, CANCER, TOOTHACHE, RHEUMATISM.

DR. J. COLLIS BROWNE'S CHLORODYNE rapidly cuts short all attacks of EPILEPSY, SPASMS, COLIC, PALPITATION, HYSTERIA.

IMPORTANT CAUTION.—The immense sale of this Remedy has given rise to many Unscrupulous Imitations.

N. B.—Every Bottle of Genuine Chlorodyne bears on the Government Stamp the name of the Inventor, DR. J. COLLIS BROWNE. Sold in bottles 1s 1/2d, 2s 9d and 4s 6d, by all chemists.

Sole Manufacturers, J. T. Davy & Co., Limited, London.

FIVE JAPANESE DOCTORS HAVE THEIR LICENCE

The five Japanese doctors whose licenses former Treasurer H. E. Cooper endeavored to cancel, on the ground that they had been recommended by an illegal Board of Medical Examiners, have won their injunction suit to prevent such action. The Supreme Court handed down its decision in the matter yesterday, the opinion of the court being written by Chief Justice Frear. When the case was submitted on June 18, A. N. Kopoikai was the defendant by succession to the office of Treasurer. The plaintiffs were T. Ninomiya, M. Oyama, Y. Yoshimoto, T. Kikawa and I. Yamada. Their attorneys were A. S. Hartwell and H. A. Bigelow, while Geo. A. Davis appeared for the defendant.

Following is the syllabus of opinion, showing the law of the case:

The actions of de facto officers, as, for example, a Board of Medical Examiners, appointed by the Treasurer instead of by the Governor, cannot be questioned collaterally.

The Treasurer cannot lawfully revoke licenses of physicians and surgeons issued by him on the recommendation of the Board of Health upon the report of the Board of Medical Examiners, merely because of a defect in the mode of appointment of the latter Board.

Injunction lies to prevent such revocation by the Treasurer, there being no plain, adequate and complete remedy at law. Certiorari has not so wide a scope under our statute as at common law.

TEXT OF OPINION.

The text of the unanimous opinion is here given:

The plaintiffs, on behalf of themselves and others similarly situated, pray for an injunction to prevent the Treasurer (originally the present defendant's predecessor in office, H. E. Cooper, for whom the present defendant has been substituted) from canceling their licenses to practice medicine and surgery. They set forth detailed allegations in their bill to show that they had such licenses lawfully and that the defendant's predecessor, the original defendant, had threatened to cancel their licenses for a particular reason, which they contend is insufficient. The Circuit Judge granted the injunction and the defendant took this appeal.

The statute relating to the practice of medicine and surgery is Act 60 of the Laws of 1896 (Penal L., Secs. 837-845). That statute provided for the issue of a license to an applicant to practice medicine and surgery by the then Minister of the Interior upon the recommendation of the Board of Health made upon the report, after examination, of a Board of Medical Examiners consisting of three licensed physicians appointed by the Minister of the Interior. The office of Minister of the Interior was abolished by the Organic Act (Sec. 8) and his powers and duties distributed, in so far as they were continued, among other officers. To the Treasurer were given, among others, the powers and duties "which relate to licenses" (Sec. 72). But to the Governor was given the power of

appointment, with the advice and consent of the Senate, of various specified officers and boards, "and any other boards of a public character that may be created by law" (Sec. 80). It does not seem to be disputed that under Section 72 the Treasurer is the one to issue licenses. The sole ground upon which the Treasurer relies for the cancellation of the licenses in question is that the Board of Medical Examiners upon whose report the Board of Health recommended these licenses, upon which recommendations the Treasurer issued the licenses, were appointed by the Treasurer, and not by the Governor, as he claims should have been done. "The statute provides for a revocation of a license for certain specified causes and upon certain prescribed procedure, but the Treasurer does not claim that he intends to act under that provision."

We will assume that the appointments of the Examiners should have been made by the Governor under Section 80 of the Organic Act. Still, they were de facto officers and therefore their acts, within the scope of the powers of such officers, cannot be thus collaterally attacked. Ex parte Ward, 123 U. S. 455; Hind vs. Wilder's Steamship Co., 14 Haw. 215, and cases there cited. That the Examiners were de facto officers there can be no doubt. There were no de jure officers. There was considerable color of law for the appointments made by the Treasurer, in view of Section 72 of the Organic Act and of the provision of Act 60 of the Laws of 1896 itself that the appointments should be made by the Minister of the Interior notwithstanding a provision of the Constitution of 1894 similar to that above quoted from Section 80 of the Organic Act. Such officers had been previously appointed by the Minister. Those in question had been appointed by the Treasurer and had acted for nearly a year and a half, during which period at different times they had examined and reported on the petitioners respectively. No question had been raised by any one, so far as appears, as to the validity of their appointments or their acts. No others claimed to be such officers.

It is contended, secondly, on the authority of Gartner vs. City of Fond du Lac, 34 Wis. 497, that this is not a proper case for an injunction because there is a proper remedy at law by certiorari. But certiorari would not lie in a case like the present under our certiorari statute (Civ. L., Secs. 1624-1634) which greatly limits the common law scope of such writs. That case also was brought, not, like this, to prevent the revocation of the license, but to prevent interference with the business after the license had been revoked, though this may, perhaps, not be a material distinction. It seems to us that in the present case the petitioners have not a plain, adequate and complete remedy at law and the injunction was properly issued. See Wood vs. City of Brooklyn, 14 Barb. 425; Castle vs. Kapena, 5 Haw. 27.

The decree appealed from is affirmed and the case remanded to the Circuit Judge.



ARRIVED.

Friday, Oct. 30.
Stmr. Mauna Loa, Simerson, from Kau, Kona and Maui ports, at 5:26 a. m.
Stmr. Ke Au Hou, Tullett, from Kau, at 6:06 a. m.

Saturday, Oct. 31.
Stmr. Kinau, Freeman, from Hilo and way ports, at 10 a. m.
Stmr. Noeau, Pitts, from Napoosoo, Honokaa and Kukuhae, at 2:30 p. m. with 4 pigs, sundries, 26 head cattle.
Stmr. Iwaland, Mosher, from Hawaii ports, at 10 a. m.
Stmr. Kauai, Bruhn, from Kauai ports and French Frigate Shoals, at 3:40 a. m., with 1 crate tubes.
Stmr. Kalulani, Dower, from Maui, Molokai and Lanai ports, at 6:05 a. m., with 105 pigs and 50 pigs, sundries.
Am. bktn. Irmgard, Schmidt, 17 days from San Francisco, at 1 p. m.

Sunday, Oct. 31.
Stmr. Waleale, Cooke, from Lahaina, at 2:40 p. m.

Sunday, Nov. 1.
Stmr. W. G. Hall, Thompson, from Kauai ports, at 4:42 a. m., with 14 horses, 2 pigs, 29 bbls. hides, 5 bbls. coconuts, 50 pigs, sundries.
Stmr. Helene, Weir, from Hawaii ports, at 4:50 p. m.
Stmr. Ka Mo, at 6 a. m.
Stmr. Maui, Bennett, from Kahului, at 6 a. m.

Monday, Nov. 2.
P. M. S. S. Siberia, Seabury, from the Orient, at 8:15 a. m.

DEPARTED.

Stmr. Waleale, Cooke, for Kaanapali and Lahaina, at 5 p. m.

Sunday, Nov. 1.
U. S. Naval Supply Ship Iris, Price, for San Francisco, at 3 p. m.

Monday, Nov. 2.
Stmr. Kalulani, Dower, for Molokai ports, at 5 p. m.

Stmr. Helene, Weir, for Paauhau, Kukuhae, Laupahoehoe, Ooaka and Paaloa, at 5 p. m.

Stmr. Iwaland, Mosher, for Kukuhae and Honokaa, at 5 p. m.

Stmr. Waleale, Pitts, for Huelo, Honokaa, Kaanapali, Lahaina, Kihel and Makena, at 5 p. m.

Stmr. Ke Au Hou, Tullett, for Kaanapali, Anahola, Kilauea, Kailiwal and Hanaele, at 5 p. m.

Stmr. Kaula, Cooke, for Kaula, at 5 p. m.

PASSENGERS.

Arrived.

From Kau, Kona and Maui ports, per stmr. Mauna Loa, Oct. 30.—From Kau: C. E. Hills and wife, Mrs. Black and daughter, Mr. and Mrs. Bentley, C. V. Sturtevant, Miss Kinney, Dr. Monarratt, Julian Monarratt, Mrs. Mahelona, Dr. Walters, W. H. Coney, W. G. Irwin, Tobaki, wife and child; Col. Buch and sons; from Kona: Mrs. S. Allen, Mrs. Lucy McWayne, W. A. Wall, J. Cooper, wife and daughter; E. E. Conant, Mrs. W. Richmond, Miss H. L. James, Mrs. Kahae and daughter, A. Haneberg, Mrs. John Ople and child. Miss Margaret Anahu, from Maui ports: J. A. Thompson, Mrs. E. Tannatt, Mrs. W. A. Conway, C. B. Wells, W. P. Miller, E. J. Walker, J. Michaels, Rev. J. K. K. Baker, W. S. Fleming, Diana Kahuahao, Mrs. Ella Baker, Mrs. Lena Akina, W. Berlowitz and 78 deck.

From Kauai ports, per stmr. Ke Au Hou, Oct. 30.—R. C. Cooke, Mrs. Cooke, P. Carty, E. Wart.

Per stmr. Kinau, from Hilo and way ports, Oct. 31.—R. C. Brown, Mrs. R. C. Brown, Harry Mosine, O. Treppmann, H. B. Blanding, R. W. Shingle, B. G. Holt, Miss Hattie Hitchcock, Geo. Wilson, J. W. Mason, Dr. Young Kam Pong, E. W. Watson, Mrs. M. Keen, H. J. Mori, T. B. Walker, Miss Clara Wright, Mrs. F. W. Carter, F. W. Carter, Mrs. T. A. Mays, Miss G. Dowsett, W. J. Coelho, Samuel Nowlein and wife, Mrs. Pauahi, Chang Kim.

Per stmr. Kalulani, Oct. 31, from Molokai and Maui.—J. F. Brown and Marshall E. B. Hendry, Officer A. Kane, Chris Johnson and 6 men and 6 on deck.

Per stmr. W. G. Hall, from Nawiliwili, Nov. 1.—F. W. Macfarlane, Mrs. Macfarlane, M. Loring, W. Potenbauer, A. F. Linder, E. Langer, W. G. Kay, Mrs. Kay, J. Wilcox, P. McLane, Mrs. McLane, W. C. King, B. Waggoner, W. Mann, P. Bomke, T. Komatsu and 22 deck.

Per stmr. Maui, from Kahului, Nov. 1.—Miss Rose Aki, Mrs. Crockett, M. Correa and wife, J. Correa and wife, Miss Correa, W. G. Taylor and wife, Young Fui Chow, Luke Mong Wa, J. J. Walsh, J. M. Vivas, C. C. Eakin, H. P. Baldwin, M. M. O'Shaughnessy, G. W. Carr, Miss M. E. Alexander, Miss S. E. Alexander, C. Dushkase, J. W. Waldron, D. Conway, N. Greig, Mrs. J. Kaee, J. Campbell, J. A. Bortfield, Mrs. J. R. Meyers, W. H. Cornwell and wife.

HILO SHIPPING.

Departing, Oct. 23, S. S. Rosecrans, Johnson, for San Francisco, with 1827 bunches bananas, \$1,165.75; 34 bags taro, \$42.50; 1 bag coffee, \$10; 3 boxes frogs, \$200; general mdse., \$73.75. Total valuation, \$1,502.00.

Oct. 23, Ship Falls of Clyde, Matson, for San Francisco, with 987 bags coffee, \$3,359.75; 86 sacks coffee, \$907.80; 480 lbs. hides and skins, \$453.40; 203 cords wood, \$1,015. Total valuation, \$9,643.40.

Passengers per Falls of Clyde: E. L. Poole, wife and two children, A. J. Patterson, wife and three children, Miss Grubb, J. Hall and wife, R. W. Jones, Mrs. George Mumby, Gus Supe.

George R. Cullen, a new inspector for the United States Immigration Department, arrived on the Siberia, accompanied by his wife. They are guests at the Young Hotel.

BRIGHT YOUNG FILIPINOS HERE

Ninety-six Filipino students between the ages of sixteen and twenty-two years form an interesting colony on the steamer Korea, en route from Manila to the United States to enter various colleges. The United States government will educate all of them, and has allotted \$500 gold per annum to each student. Upon arrival at San Francisco the entire party will go to Los Angeles and remain there until June, 1904, in charge of William A. Sutherland, who was appointed by the Insular government as their superintendent. In the meantime, the students will receive a preparatory instruction to enable them to enter the colleges on an even footing with American students.

All the young men speak English, many of them fluently. They hail from all six provinces of the Philippines, one coming from the little island of Paragua below the possessions of the Sultan of Sulu. The dialects are almost as numerous as the students, and were it not for the fact that they all speak English and Spanish they would be unable to carry on a general conversation. The islands of Luzon, Panay, Mindanao, Palawan, Leyte, Samar, Negros and Zebu, are all represented, the Filipinos from Luzon naturally predominating, as Manila is on that island.

There are young men who are sons of distinguished fathers, many of the latter having served in the Insular army under Aguinaldo, and even a few of the students, mere boys, know what the ping of the Krag bullets and the scream of American shells is like, for they served under the deposed chieftain. A number were interested in knowing that Lieut. Newton of Camp McKinley, who assisted General Funston in the capture of Aguinaldo, was in town, two or three having personal acquaintance with him.

Senor Delgado, who was formerly Spanish stenographer of the Court of Land Registration, when but a mere boy, was attached on the staff of the rebel general Luna, the most powerful opponent of Aguinaldo. A relative of young Delgado's was one of Aguinaldo's ministers. Senor Valdes, the oldest member of the student corps, was until recently a confidential clerk in the office of Governor Taft. He will take up the study of law. Senor Kanaes was one of the deputies of the Governor of Talibac. Senor Niewa is the nephew of the present Governor of Tayabas, Luzon. Senor Veyra was a teacher in the San Pato school, and Senor Ocha was in charge of the High School at the same place.

The students are under a semi-military rule with Superintendent Sutherland as commander-in-chief. The older students are delegated as captains and the corps is divided into companies. Every morning the companies are marshalled on deck and are put through military evolutions including the army "setting-up" exercises.

The young men are a very intelligent body, and all are anxious to receive the education so generously offered by the United States. It is the intention to fit them for public service in the Philippines so that they will be able to instruct their countrymen.

The boys are self-reliant, courteous, well behaved, and are now enjoying their first glimpse of America as seen in its outpost in Hawaii.

A number of them took advantage of the long stay of the Korea in port to witness the Republican rally last night, this also being in the nature of their first introduction to active American politics.

HOME RULE LIE

ABOUT TAXATION

Home Rulers who have recently been stumping in the valleys and outlying sections have carried on a campaign of perversion, and the ignorant masses of the Hawaiians have been made to believe their statements which have not the slightest color of truth.

One statement is to the effect that the Republicans, if elected to power, would repeal the laws of 1903 and make any laws that suited them to the detriment of the natives. Another was that the Republicans would commence a system of petty taxation on the natives, and that if a Hawaiian has exceptionally good pieces of furniture, such as bedsteads, bureaus of tables, the tax would be high. If the natives were unable to pay the taxes, the furniture would be removed from their homes and sold.

Shipping Notes.

The steamer Hawaii is due tomorrow with a load of cattle from Kaula. The following freight was brought in the steamer Maui: 184 sacks corn, 166 sacks palat, 19 hides, 131 hogs, 142 pigs, sundries.

Purser Friel of the W. G. Hall reports that he was unable to procure the sugar list from the Waimea mill. Fine weather is reported on Kauai.

No Fire in Mokuawewee.

Purser Logan of the Iwaland reports that the steamer cleaned the Honousoo warehouse of sugar. He reports also that Mokuawewee seems to have quieted down, no fire or smoke being visible from the steamer.

Marines for Samoa.

First Lieut. H. J. Hirschinger, United States Marine Corps, formerly in command of the marine guard on the U. S. S. Baltimore, has been ordered to this city and report on the 29th instant to the commanding officer at the marine barracks, for duty in connection with a marine guard of thirty men, being organized for service at the naval station, Tutuila, Samoa. The command will shortly start for its new station, where it will be quartered in tents, as there are no quarters available. Washington Star.

WHITING NOW AN ADMIRAL

Upon the retirement on October 11 of Rear Admiral Kempf, Capt. Wm. H. Whiting, formerly commandant of the Honolulu Naval Station, was elevated to the rank of Rear Admiral with Captains Lambertson, McCalla and Chadwick.

Rear Admiral William Henry Whiting was born in New York city, but was appointed to the Naval Academy from Wisconsin in 1869. Served on the Hartford in the West Gulf Squadron, 1863-5, and received honorable mention by Admiral Farragut in general orders for gallant conduct at the burning of the blockade runner under the guns of Fort Morgan on the night of July 5, 1864; was given honorable mention by the captain of the Hartford at the battle of Mobile Bay; was at the surrender of Fort Gaines; hauled down the Confederate flag and hoisted United States flag; was at the surrender of Fort Morgan; served on the Kearsarge after the war; successfully commanded the Saratoga, Kearsarge, Alliance and Monadnock.

A MEMORIAL COURT HELD

Resolution in Supreme Court on the Late Judge Estee.

After ordering spread upon the records the resolution of the Bar Association in memory of the late Judge Estee, the Supreme Court yesterday adjourned for the day out of respect for the departed jurist.

Governor S. B. Dole, the successor, designate of Judge Estee, sat on the bench with Chief Justice Frear, Justices C. A. Galbraith and A. Perry. Circuit Judges De Bolt, Gear and Robinson had seats in front.

E. P. Dole, in an eloquent speech, moved the adoption of the resolution. Mentioning the Mandel case in which the speaker contested the grounds taken by Judge Estee, he said that before the U. S. Supreme Court the argument of Mr. Conder, one of the recognized leaders of the New York bar, opposed to him was not stronger than Judge Estee's decision; also that Justice Harlan, one of the strongest living lawyers endorsed Judge Estee's decision in terms as emphatic as the English language is capable of.

"The decision was for the Territory by a majority of one. The honors were even. Under such circumstances a reversal casts no reflection upon Judge Estee's legal learning and grasp of intellect."

General Hartwell and Attorney General Andrews made remarks in turn, and Justice Galbraith gave the order of the court adopting the resolution.

Following is the resolution that was placed on record, as submitted by Messrs. Dole, Cathcart and Stewart, committee:

"To the Justices of the Supreme Court: Whereas, Honorable Morris M. Estee, late Judge of the United States District Court of the Territory of Hawaii, has completed a distinguished and noble life, and has left an inspiring example of civic and private virtue; Therefore,

"Resolved, That it is the duty and privilege of the Bar Association of the Hawaiian Islands to render its tribute to a man, a citizen, a statesman, and a judge, whom to know was to love and honor.

"We tender our heartfelt sympathy to his family.

"We move that this resolution be spread upon the records of the court."

"Honolulu, November 2d, A. D. 1903." Besides the speakers mentioned, the following members of the bar were present: W. A. Whiting, W. R. Castle, D. L. Withington, J. L. Kaulakou, F. Andrade, W. W. Thayer, Chas. F. Clemons, W. T. Rawlins, T. M. Harrison, E. C. Peters, J. M. Vivas, C. Brown, J. A. Magoon, C. W. Ashford, A. G. M. Robertson, A. F. Judd, A. A. Wilder, Judge P. L. Weaver, J. Lightfoot, S. M. Ballou, T. L. Millon, B. L. Marx, R. B. Anderson, A. H. Crook, E. A. Long, C. R. Hemenway, W. C. Parry, C. F. Peterson, W. L. Whitney, Henry Smith, E. Johnson, E. H. Dickey, R. D. Mead, S. H. Derby, E. H. McGowan, A. Lewis, Jr., C. C. Bittling, S. F. Chittenden, W. L. Stanley, H. Holmes, R. L. Watson, E. A. Mott-Smith, L. M. Gibbs, A. G. Correa, F. M. Brooks, and W. C. Fleming.

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GREETINGS TO CARTER

Hailed by Well-Wishers Upon the Principal Islands.

By mail, by messenger, by wireless telegraph, Secretary George R. Carter has received messages of congratulation upon his nomination to the Governorship of the Territory by President Roosevelt.

The Honolulu Trades and Labor Council is the first organization to hail the rising sun. Among persons greeting the coming Governor are: Philip Peck, the Hilo banker; J. Castle Ridgway, deputy collector of customs, Hilo, and member of the Republican Territorial Committee; J. D. Willard, lawyer, Kaula; H. L. Holstein, lawyer, Kaula; H. A. Baldwin, sheriff of Maui, and Representative Kellipoi of Maui.

Mr. Carter has received the resignations thus far of Henry E. Cooper, Superintendent of Public Works, and Alatau T. Atkinson, Superintendent of Public Instruction. They are held in abeyance until other heads of departments follow suit and the commission of the Governor arrives. The resignation of Mr. Cooper is absolute, as he has made arrangements to return to the practice of law. Mr. Atkinson's is probably one of courtesy, to give the new Governor a free hand.

The letter of the Trades and Labor Council and Mr. Carter's reply thereto are as follows:

THE COUNCIL'S LETTER.
Honolulu Trades and Labor Council. Affiliated with American Federation of Labor.

Honolulu, H. T., Nov. 2, 1903.
Hon. George R. Carter, Governor Territory of Hawaii, Honolulu, H. T.
Dear Sir: In behalf of the Honolulu Trades and Labor Council, I wish to extend their congratulations on your appointment to the Governorship of the Territory.

The selection of President Roosevelt I am sure meets with the approval of all who are interested, "along traditional American lines," being well acquainted with conditions existing here in the Islands, and having the welfare of the same at heart. I trust that during your term in office the Territory will prosper and assist in attaining the cherished wish of all territories, "statehood."

Thanking you for past favors in our behalf, and wishing you success in your new official capacity, I am,

Yours very respectfully,
CARL M. TAYLOR, Secretary.

MR. CARTER'S REPLY.
Nov. 2, 1903.
Carl M. Taylor, Esq., Secretary Honolulu Trades and Labor Council, Honolulu.

Dear Sir: Kindly express to the organization your sincere appreciation of their congratulations and wishes for success, because the latter cannot be obtained except by the hearty cooperation and assistance of the people of this community, in which I consider your organization an important factor.

I shall be glad at any time to meet your representatives, and trust if it should so happen that at any time your organization should not be in accord with the policy of the Administration, that you will at least allow me the opportunity of explaining the Administration's position before condemning the same.

Very sincerely yours,
GEORGE R. CARTER.

GEAR REPUDIATES BULLETIN ARTICLE

Last night's Bulletin printed the following:

"It having been brought to my attention that I am considered by many in the community as responsible for the utterances of The Evening Bulletin, it is proper that I should state the facts as they exist today and have existed since 1898, when the editor of The Bulletin purchased an interest in the paper.

"Under a written and binding agreement the editor of The Bulletin has absolute and final control of the editorial utterances and policy of the paper.

"In connection with The Bulletin's expressions regarding the appointment of Governor Dole to the United States District Bench, they neither voice my sentiment nor meet with my approval.

"A. V. GEAR."

A hopeless case: "A great big able-bodied man like you ought to be ashamed to ask a stranger for money," said the well-to-do citizen. "I know I ought," answered Meandering Mike; "but, mister, I'm jes' naturally too kind hearted to tap 'im on the head and take it away from him."—Washington Star.

A sordid soul: "Is Samson Huskiman going to coach your football team this season?" asks the visitor of the quarter-back, "Samson Huskiman? Don't repeat that name on the campus." "Why, is there anything wrong about that?" "Wrong? Listen. Instead of playing with the boys this year, what do you suppose he is going to do?" "Doing into professional athletics?" "Worse—infinitely worse! He has accepted the offer of a thousand dollars a week as demonstrator for a hair-tonic."—Judge.

INDICTMENT IS ATTACKED

Motion to Quash Both the Jewel Cases.

When the plaintiff in the Hagey cure contract suit had rested yesterday afternoon, Mr. McClanahan for the defendants moved for a nonsuit and argued, followed by A. G. M. Robertson against the motion. Judge Robinson denied the motion and now the defense is on. T. M. Harrison, the plaintiff, was on the stand yesterday afternoon. He was exhaustively cross-examined on the sheep run part of the complications.

THE JEWEL ROBBERY.

A motion to quash the indictments against Ben Gallagher and Hugh Rooney, for burglary and receiving stolen goods respectively, was filed in Judge Gear's court yesterday. It was taken under advisement.

NOTABLE LIQUOR CASE.

M. G. Simoes was put on trial for selling liquor without a license before Judge Gear yesterday afternoon. Deputy Attorney General E. C. Peters prosecuted, and J. M. Vivas and C. C. Bittling defended the case. The following jury was accepted: W. H. Hoogs, C. Spencer, D. F. Thrum, J. B. Pakele, L. R. A. Hart, W. M. Rush, W. A. Hall, F. J. Robello, J. H. Davis, L. J. N. Hippa, E. H. Paris and Geo. W. Hayselden. The trial is still on for this morning. It was in this case that Judge Gear rendered his decision finding that the liquor laws of the Republic of Hawaii were still in force.

PROBATE MATTERS.

George E. Rugg was appointed administrator of the estate of Chester M. Rugg, on petition of the widow, Mabel E. Kelsey Rugg, by Judge De Bolt yesterday. The bond is \$3000. R. D. Mead for petitioner.

Judge De Bolt granted the petition of Margaret Lishman, executrix of the estate of her late husband, Robert Lishman, for approval of accounts and discharge. Cecil Brown for petitioner.

FLAWS ARE FOUND.

John Albert Matthewman, master in the matter of the estate of August Kraft, deceased, has filed a report in which he finds all sorts of flaws in the administration. Nevertheless he recommends, "subject to the court's action in regard to the evidence adduced before the commissioner, and excepting attorney's fees in excess of \$100, that the final accounts of W. L. Howard, temporary administrator, and the partial accounts of W. L. Howard, administrator with the will annexed, be allowed."

Among other things the master objects to the attorney's fee of \$200 as more than warranted by the work done, and finds that the partial distribution made (\$2000) was not in accordance with the facts elicited by the commissioner, one of the beneficiaries being omitted. An unnecessarily long time, it is stated, has been consumed in settling the estate. The mandate of the will to sell the real estate after six months' advertisement has not been obeyed. Several instances of "carelessness in small matters" are noted, among them being these:

"One gold chain appears in the first inventory which is not accounted for later. Five watch chains appear in the later inventory which were not mentioned in the other two.

"Dates of expenditures do not always correspond with the vouchers."

FERNANDEZ WAS ILL.

Vincent Fernandez by his attorney, C. F. Peterson, has filed a motion to revoke the order dismissing his appeal in C. C. Bittling's suit against him on a note. By affidavit he declares he had retained J. M. Kaneakua to represent him in court, but Kaneakua has been absent from Honolulu several weeks and deponent does not know where he is. A message to another attorney was not received by him in time to appear before dismissal of appeal. Deponent has been seriously ill in bed for several weeks. He claims he has a meritorious defense, that the note was without consideration, that plaintiff is not its bona fide holder and that deponent was induced to sign the note through misrepresentation and fraud of plaintiff.

A bond of \$10,000 will be required on surety satisfactory to the Government, conditioned on the due performance of the requirement that \$10,000 be expended on construction within 18 months. From the beginning of the term of the license \$500 shall be paid by the holder thereof to the Government, semi-annually in advance irrespective of such rate per cent; the first payment of \$500 to be made at the fall of the hammer, by paying the same to the Commissioner of Public Lands. Upset 5 per cent on the net revenues. Any bid than on percentage of the net revenues will not be entertained.

Full information in regard to other conditions of such license will be furnished at the office of the Commissioner of Public Lands.

E. S. BOYD, Commissioner of Public Lands. Public Lands Office, October 25, 1903. 6618.

COURT NOTES.

Man Chong has appealed from his sentence to pay a fine of \$100 and costs and to be imprisoned three months at hard labor by L. B. Nalson, District Magistrate of Koolauloa, for selling liquor without a license.

The Mutual Telephone Co. has two days more in which to plead, etc., to the complaint of Sidney M. Ballou.

WHERE IS THE TRANSPORT THOMAS?

The transport Thomas, which left Nagasaki on October 16, according to a cablegram sent to Capt. Williamson, U. S. Depot Quartermaster, with orders to call at Honolulu enroute to San Francisco, is now out seventeen days. There is considerable speculation over her delay, as it is believed under ordinary circumstances the vessel should have arrived here in eleven or twelve days. The passenger liners are between nine and ten days in making the trip from Yokohama and Honolulu. Even with bad weather, the transport should have reached port at least three days ago.

At a meeting of the Home Rule party in the Orpheum last Saturday night, the following resolutions were adopted by a standing vote:

"Ah want dat razor!" They say you can get it; also all barber supplies, IXL knives, and latest models in cutlery at Whitman & Co.—Evening Bulletin.

Board of Registration.

The Board of Registration for Oahu will sit during election day from 8 a. m. to 5 p. m. at the Capitol building for the purpose of making any necessary corrections to the election roll. ALEXANDER LINDSAY, JR., Chairman.

BY AUTHORITY.

KAMAUNU ESTATE.

MORTGAGEE'S NOTICE OF INTENTION TO FORECLOSE AND OF SALE.

Notice is hereby given that under and by virtue of the power of sale contained in that certain Indenture of Mortgage dated the 8th day of January, A. D. 1898, executed, acknowledged and delivered by Kamaunu Hanaele, as mortgagor, and joined in by Naakauna Kamaunu, his wife, in token of her release of dower, both of Lahaina, Island of Maui, to the Pioneer Mill Company, Limited, a corporation created, existing and doing business under the laws of the Territory of Hawaii, Mortgagee, said mortgage having been given to secure the payment of Three Hundred, Forty and one-half (\$340.50) Dollars, drawing interest at the rate of seven per cent per annum, payable semi-annually, and now to be sold because of the non-payment of said principal sum and interest thereon due, which said mortgage is recorded in Liber 179, at pages 10 and 11, in the office of the Registrar of Conveyances, at Honolulu, and which is still held and owned by the said Pioneer Mill Company, Limited, the said Mortgagee intends to foreclose said mortgage for condition broken, that is to say: for non-payment of the principal sum therein named, and for non-payment of interest, as by the terms of said mortgage secured.

Notice is likewise given by said Mortgagee, the Pioneer Mill Company, Limited, that, after the expiration of three (3) weeks from the date of this notice, to-wit, on Saturday, the 14th day of November, A. D. 1903, at twelve o'clock noon of said day, said mortgaged property, for the reasons hereinabove stated, will be sold at public auction, at the entrance to the court house at Lahaina, Maui, (at which place the December terms of the Circuit Court of the Second Circuit have heretofore been held).

Terms of sale: Cash at the time of purchase.

Deeds at expense of purchaser.

For further particulars regarding sale, and of property to be sold, apply to D. H. Case, attorney for Mortgagee, at Wailuku, Maui, or to the Pioneer Mill Company, Limited, at Lahaina, Maui.

PIONEER MILL COMPANY, LTD., Mortgagee.

Dated this 16th day of October, 1903.

DESCRIPTION OF PROPERTY TO BE SOLD.

The following is a description of the property conveyed by said mortgage, and which will be sold:

"All those pieces and parcels of land situate at Moiliili and Kapunakun, Lahaina, which are described in Royal Patent No. 3453, L. C. A. No. 6760 to Hanaele, containing an area of 6 acres, 2 rods, 32 rods, more or less, and which were conveyed from the said Hanaele and Pukui to Kapaemoku Laa (w) and Kamaunu, by deed dated May 18th, 1868, of record in Liber 25, on pages 374 and 375, and conveying all of the mortgagor's right, title and interest, with all of the privileges and appurtenances thereto belonging

2531—Oct. 20, 27 Nov. 3, 10.

PUBLIC LANDS NOTICE.

Commissioner of Public Lands.

A land license for a period of 50 years, to collect, divert and sell the surface water and power produced therefrom, upon and from the public lands, situate on the Island of Hawaii, and lying between the sea on the north, Waipio Valley on the East